

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16436 of 2017

Arising Out of PS.Case No. -73 Year- 2016 Thana -BIHPUR District- BHAGALPUR

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Sandeep Kumar Yadav @ Sanjeev Kumar Yadav, son of Satish Prasad Yadav @ Satish Yadav, resident of village Hansdiha, P.S. Hansdiha, District Dumka (Jharkhand).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 04-04-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 25.11.2016 in connection with Bihpur (Jhandapur) P.S. Case No. 73 of 2016 (GR No. 263B of 2016) for the alleged offences under Sections 302, 120(B), 34, 414 of the Indian Penal Code and Section 27 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion and except the extra judicial confessional statement of co-accused Ritesh Mandal @ Ritesh Kumar Singh @ Ritesh Kumar Mandal, the latter having been granted bail by this Court in Cr. Misc. No. 47595 of 2016, there is no other material to connect the petitioner with the alleged occurrence. The FIR is against unknown persons.



4. A statement is made at the Bar that the petitioner is on bail in respect of the only other case in which he has been made accused in relation to offence under Section 379/120B of the Indian Penal Code.

5. Having regard to the entirety of the facts and circumstances of the case as well as the period of custody since 25.11.2016 already suffered by the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned 2nd Additional District & Sessions Judge, Naugachia, District Bhagalpur in connection with Bihpur (Jhandapur) P.S. Case No. 73 of 2016 (GR No. 263B of 2016) on the following conditions :-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in court on each and every date during trial and in the event of



failure on two consecutive dates without sufficient reason, his bail
bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran/BT

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