

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4289 of 2017

Arising Out of PS.Case No. -4 Year- 2012 Thana -KOCH District- GAYA

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1. Manoj Yadav Son of Hardeo Yadav Resident of Village- Khaira, Police
Station- Konch, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar

For the Opposite Party/s : Mr. Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-04-2017 The petitioner is in custody since 29.10.2016 in
connection with Konch P.S. Case No. 04 of 2012, registered for
offences punishable under Sections 395 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that
petitioner's name has surfaced in this case only on the basis of
confessional statement of co-accused and except that there is
nothing against him. It has further been submitted that no recovery
has been made from the possession of the petitioner and upto now
no Test Identification Parade has been conducted and he has been
made accused in this case as he has criminal antecedents. Further
the petitioner has been in judicial custody for about six months.

Heard learned A.P.P. also.

Having heard both sides, no doubt petitioner has many
criminal antecedents but in the present case, petitioner's name
transpired only on the basis of confessional statement of co-
accused and except that there is nothing against the petitioner, as



such, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five) with two sureties of the like amount each to the satisfaction of learned CJM, Gaya, in connection with Konch P.S. Case No. 04 of 2012, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a close relative having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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