

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6565 of 2017

Arising Out of PS.Case No. -75 Year- 2013 Thana -BARIYARPUR District- MUNGER

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Mukesh Yadav, Son of Late Nageshwar Yadav, resident of village -
Jhauwa Bahiyar, P.S. Bariyarpur, District - Munger

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Kamal Kishore Jha, Advocate

For the Opposite Party : Mr. R.P.Nat, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 22-02-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 08.08.2014 in connection with Sessions Trial No. 943 of 2014, arising out of Bariyarpur P.S Case No. 75 of 2013 for the alleged offences under Sections 147, 148, 149, 447, 302 of the Indian Penal Code and Section 27 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated and even according to the FIR it was the co-accused Mrityunjay Yadav @ Kare Yadav who is the main assailant having fired at the chest of the deceased. Similarly situated co-accused Sunil Mandal has been granted bail by this Court in Cr. Misc. No. 400 of 2014.

4. Having regard to the entirety of the facts and



circumstances of the case, 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 Sessions Judge, Munger in connection with Sessions Trial No. 943 of 2014, arising out of Bariyarpur P.S Case No. 75 of 2013 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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