

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18936 of 2017

Arising Out of PS.Case No. -107 Year- 2016 Thana -PARBATTI District- BHAGALPUR

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Mukesh Yadav @ Mukesh Mandal, Son of Kishandeo Yadav @ Bachchu Yadav, resident of Village- Gonarchak, P.S. Parbatta, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal, Advocate

For the Opposite Party/s : Mr. Mithilesh Kumar Khare, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 26-04-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Parbatta P.S.Case No. 107 of 2016 registered for the offences punishable under Sections 302, 201, 120B/34 of the Indian Penal Code and 27 of the Arms Act.

Petitioner is named in the FIR and case is under Section 302 and other sections of the IPC.

It has been submitted on behalf of the petitioner that it is alleged on the basis of suspicion that deceased was taken away by the petitioner and thereafter dead body was found and except that there is nothing against the petitioner and he is in custody for about six months. It has further been submitted that co-accused having similar allegation has been granted bail by this Court in Cr.Misc.No. 6427 of 2017, vide order dated 27.3.2017.

Heard learned APP also.

Having heard both sides and in view of the fact that



there is only suspicion against the petitioner and apart from that co-accused having similar allegation has been granted bail, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-III, Naugachia, Bhagalpur, in connection with Parbatta P.S.Case No. 107 of 2016, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties 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 reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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