

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15438 of 2017

Arising Out of PS.Case No. -25 Year- 2016 Thana -BIHARIGANJ District- MADHEPURA

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Jay Jay Yadav @ Jay Jay Ram Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 20-06-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in jail since 11.01.2017 in a case registered for offences punishable under Sections 302/34 of the Indian Penal Code and 27 of Arms Act.

The prosecution case is that while the father of the informant after loading cement on the bullock cart along with the wife of the informant was returning home and the informant on a motorcycle, six miscreants forcibly pulled the father of the informant and took him in a corn field and killed him.

It has been submitted by the learned counsel for the petitioner that he is innocent and postmortem report signifies only one injury which can not be attributed to the petitioner only and even the wife of the informant as per the case diary has not seen the occurrence. He further submits that charge sheet has already been submitted, hence there is no chance of tampering with the



prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner is one of the accused, who was instrumental in the death of the informant's father, hence, vehemently, opposes the prayer for bail.

Considering the facts and circumstance of the case and materials on record, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate- 1st, Udakishunganj, Madhepura in connection with Bihariganj P.S. Case No. 25 of 2016, with a condition that the petitioner is directed to appear before the learned Court below on each and every date and failure to appear before the Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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