

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32902 of 2017

Arising Out of PS.Case No. -101 Year- 2016 Thana -NAVHATTA District- SASARAM (ROHTAS)

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Rajesh Yadav son of Shiv Prasad Yadav, resident of village Badka Budhua,
PS-Rohtas, District-Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Sri Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-07-2017

This application is for grant of regular bail in connection with Nauhatta P.S. Case No. 101 of 2016 registered for the offence(s) under section(s) 302, 120(B), 147, 148, 149, 341, 504, 506 of the Indian Penal Code, section 27 of the Arms Act, sections 13, 14, 16, 18, 20 of the Unlawful Activities Act.

The petitioner is named in the FIR. The case is of section 302 of the Indian Penal Code and there is an allegation that the petitioner and other accused persons have caused death of the deceased.

Submission of the learned counsel for the petitioner is that FIR itself shows that the petitioner has been made accused on the basis of suspicion as there was some dispute earlier with the petitioner and the deceased and apart from that there is nothing available on record against the petitioner, as the Sessions Judge



has discussed the material in the case diary and not mentioned any other materials, however the petitioner is in custody since 1.12.2016.

Heard learned Additional Public Prosecutor also.

Having heard both sides and in view of the facts and circumstances, as stated above, this application is allowed.

Let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/-(Rs. Twenty five thousand) with two sureties of the like amount each to the satisfaction of Sri Kavindra Kumar, Judicial Magistrate 1st class, Dehri District-Sasaram in connection with Nauhatta P.S. Case No. 101 of 2016, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person 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 rhyme or reasons, the



prosecution will have liberty to move for
cancellation of his bail.

(Vinod Kumar Sinha, J)

Mahesh/-

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