

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36699 of 2017

Arising Out of PS.Case No. -38 Year- 2017 Thana -GOVINDPUR District- NAWADA

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Arjun Yadav Son of Mushahari Yadav, R/o Village- Katuruchak, P.S.-
Govindpur, District- Nawada.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Birendra Kumar, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 22-09-2017 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 26.05.2017 in connection with Govindpur P.S. Case No. 38 of 2017 for the alleged offences under Sections 302/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion and there is no material to connect the petitioner with the alleged occurrence. The petitioner claims clean antecedents.

4. Learned APP assisted by learned counsel for the informant appearing *suo motu* opposes the bail petition. It is submitted that the case diary discloses that several calls were made from the SIM issued in the name of the petitioner to the mobile phone of the deceased around the date of the occurrence. The petitioner claims clean antecedents.

5. Be that as it may, 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 Chief Judicial Magistrate, Nawada in connection with Govindpur P.S. Case No. 38 of 2017 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 co-operate 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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