

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36074 of 2017

Arising Out of PS. Case No. -44 Year- 2004 Thana -NAWADA District- NAWADA

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Chando Yadav, Son of Late Parbhu Yadav, Resident of Village- Jhunathi,
P.S.- Mufassil, District- Nawada.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sheo Kumar Prasad, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 20-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 23.03.2017 in connection with Sessions Trial No. 444 of 2017/90 of 2017 arising out of Nawada Town P.S. Case No. 44 of 2004 for the offences alleged under Section 364 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. It is further submitted that the victim has since been recovered and his deposition under Section 164 Cr. P.C. has been recorded in which he has exonerated the petitioner. The petitioner claims clean antecedents.

4. 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 Additional District & Sessions Judge-Vth, Nawada, in connection with Sessions Trial No. 444 of 2017/90 of 2017 arising out of Nawada Town P.S. Case No. 44 of 2004, 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 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.

(iv) 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.

(v) The learned Court below shall verify to its satisfaction that the victim in his deposition has exonerated the petitioner.

Md. Ibrarul/-

(Vikash Jain, J)

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