

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47749 of 2017

Arising Out of PS.Case No. -133 Year- 2017 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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Surendra Yadav @ Jagu Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 13-12-2017 This has come under the heading 'To Be Mentioned' for the second time to modify the order dated 12.10.2017.

Submission of learned counsel for the petitioner is that earlier also this case has come under the same heading for modification of the said order as in the case of co-accused Jitendra Paswan in Cr.Misc.No. 45954 of 2017 order dated 19.9.2017 has been passed that once charge has been framed in this case or after completion of six months in custody he will be released on bail. In this case also petitioner has not been arrested at the place of occurrence, nothing has been recovered from his conscious possession and, as such, petitioner may also be released in terms of order dated 19.9.2017 passed in Cr.Misc. No. 45954 of 2017 and the order dated 12.10.2017 and 8.11.2017 may be modified accordingly as the case of petitioner is similar to co-accused



Jitendra Paswan.

Heard learned APP also.

In the facts and circumstances, as the case of the petitioner is similar to co-accused Jitendra Paswan, orders dated 12.10.2017 and 8.11.2017 are recalled and learned trial court is directed that once charge has been framed or petitioner completes six months period in judicial custody, whichever is earlier, petitioner be released on bail by learned court below to its own satisfaction.

Let this order be communicated to the court below.

(Vinod Kumar Sinha, J)

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