

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15052 of 2018

Arising Out of PS.Case No. -574 Year- 2016 Thana -MOHANIA District- BHABHUA (KAIMUR)

=====

Bhanu Yadav @ Nand Kishore Yadav son of Wansh Narayan Yadav,
resident of Mohania, Ward No. 10, P.S. Mohania, District-Kaimur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Sri Lakshmi Kant Sharma

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Sessions Trial
No. 44 of 2018 arising out of Mohania P.S. Case No. 574 of 2016
for offences punishable under Sections 302 and 120(B) of the
Indian Penal Code.

The prosecution case, as lodged by the informant, is
that on information that his son Tuntun Yadav has been killed in
the house he came to his house and was informed by the daughter
of the deceased that the deceased Tuntun Yadav was sleeping with
his 95 year old mother in the room closed from inside. In the
morning when the deceased's daughter Saraswati Kumari knocked



the door and the door was opened by the deceased's mother the said Tuntun was found dead and articles in the room were found scattered. It has been stated in the F.I.R. that the deceased was in the habit of taking heroin and was a dealer of heroin and many people used to come and visit him.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has not been named in the F.I.R. It is only during course of investigation the petitioner has been made accused on suspicion because of being the step brother of the deceased and the offence is alleged for property dispute. He submits that he is languishing in custody since 15.11.2017 and that he undertakes to cooperate in the trial or appear before the trial court on each and every date.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Kaimur at Bhabua in connection with Sessions Trial No. 44 of 2018 arising out of Mohania P.S. Case No. 574 of



2016, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (2) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/-

U		T	
---	--	---	--

