

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11297 of 2018

Arising Out of PS.Case No. -12 Year- 2017 Thana -DHANKUND District- BANKA

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Pumpum Yadav @ Golu Son of Bibhuti Bhushan Yadav, Resident of
Village-Sakhara, P.S. Rajaun, District-Banka

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey

For the Opposite Party/s : Mr. Sri Umesh Lal Verma

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 30-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
01.12.2017 in connection with Dhankund P.S. Case No. 12 of
2017 for offences punishable under Sections 302, 201, 379 and 34
of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while his father, who worked as an Assistant Teacher, was
returning during Holi festival in a tempo, the tempo met with an
accident and his father was taken away by the tempo driver along
with other passengers to the hospital for treatment but his father
was found on road dead. He had Rs. 30,000/- in his pocket which
was also stolen away. It is alleged that the petitioner, who was the



tempo driver, must have killed his father and taken away the money along with 3-4 unknown persons and thrown the dead body.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history, was a tempo driver and in order to save a motorcyclist, tempo met with an accident and there were many passengers who were taken to the hospital by the petitioner. He submits that there was no motive of killing the informant's father and on investigation it was found that tempo met with an accident and charge-sheet has been submitted under Section 304 I.P.C. against the petitioner. He submits that there is no allegation of tampering of the prosecution witnesses by the petitioner.

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 Chief Judicial Magistrate, Banka in connection with Dhankund P.S. Case No. 12 of 2017, 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/-

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