

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33069 of 2018

Arising Out of PS.Case No. -38 Year- 2016 Thana -MOHAMMADPUR District- GOPALGANJ

1. Vinod Yadav, Son of Ram Chandra Yadav, Resident of Village- Koila
Dva, P.S.- Fulwaria, District- Gopalganj. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhramveer, Adv.

For the Opposite Party/s : Mr. Sri Panchanand Pandit, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 04-07-2018 Heard learned counsel for the petitioner and the
learned counsel appearing for the State.

The petitioner is in custody since 27.05.2017 in connection with Mohammadpur P.S. Case No. 38 of 2016 registered for the offence under Sections 398, 326 and 307 of the Indian Penal Code.

Learned counsel for the petitioner submits that though the petitioner has not been named in the F.I.R., subsequently, on the confession made before the police by the co-accused, he has been implicated in the present case. It is further submitted that though he has been in custody since 27.05.2017, no T.I.P. has been conducted till date. It is further submitted that save and except confessional statement made before the police, there is no cogent material available against the petitioner.

Considering the aforementioned facts and circumstances and that the petitioner has been in custody over a



year, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with Mohammadpur P.S. Case No. 38 of 2016, subject to the following conditions;

- (1) One of the bailors will be the close relative of the petitioner, preferably, father, mother, brother, sister and/or their wife.
- (2) The petitioner shall not indulge themselves in any similar offence till conclusion of the trial.
- (3) The petitioner shall remain physically present in court on each and every date during trial and in the event of their failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the learned court concerned.
- (4) 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.

(Anjana Mishra, J)

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