

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50592 of 2018

Arising Out of PS.Case No. -71 Year- 2017 Thana -WAINA District- NALANDA
(BIHARSHARIFF)

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1. Lal Das Yadav, Son of Late Bulaki Yadav, resident of Village- Mari,
P.S. Ben, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamla Prasad Roy, Adv.
Mr. Satya Ranjan Sinha, Adv.
Ms. Seema Kumari, Adv.

For the Opposite Party/s : Mr. Parmanand Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-09-2018 Petitioner is permitted to make correction in the

sessions trial number in para 1 and the prayer portion.

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner had earlier moved for bail which was

rejected vide order dated 17.02.2018 passed in Cr. Misc. No. 4087

of 2018.

Petitioner is languishing in judicial custody since

25.08.2017 in connection with Sessions Trial No. 281 of 2018

arising out of Ben P.S. Case No. 71 of 2017 for offences

punishable under Sections 364/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is



that the petitioner along with four other persons took away his son Chandan Kumar but he did not return and is still traceless.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case due to previous enmity. He further submits that there is no eye-witness to any occurrence and is an old person of 65 years of age and that charges have already been framed and the petitioner undertakes to co-operate in the trial on day to day basis.

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 Additional District Judge-VII, Nalanda at Bihar Sharif in connection with Sessions Trial No. 281 of 2018 arising out of Ben P.S. Case No. 71 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/Priyanka

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