

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61794 of 2018

Arising Out of PS.Case No. -186 Year- 2017 Thana -NAUGACHIA District- BHAGALPUR

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1. Santosh Yadav Son of Devmuni Yadav, Resident of Village- Chapur,
Police Station-Rangra O.P. (Gopalpur), District-Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-10-2018 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The Petitioner seeks regular bail in connection with

Naugachia P.S.Case No. 186 of 2017, registered for offences

punishable under Sections 147, 148, 149, 302, 120(B) of the

Indian Penal Code and Section 27 of Arms Act.

Allegation against the petitioner as per F.I.R. is that

the petitioner is not named in the F.I.R. and the allegation is of

murder of the brother of the informant by the other named accused

persons.

Submission of the learned counsel for the petitioner is that

the petitioner has falsely been implicated in this case and the name

of the petitioner surfaced during course of investigation and there

is no specific allegation of any overt act against the petitioner and

the entire prosecution case against the petitioner is false,



fabricated and concocted and the other co-accused persons have been granted bail by a Co-ordinate Bench of this Court vide order dated 20.09.2018 passed in Cr. Misc. No. 55207 of 2018 and the petitioner is in custody since 26.05.2018.

Heard learned A.P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Naugachia in connection with Naugachia P.S.Case No. 186 of 2017, subject to the following conditions:-

- i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- ii) The petitioner will not induce any witness or tamper with the evidence.
- iii) It is made clear that if petitioner found involved in any of the like offences, in future, prosecution is is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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