

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63706 of 2018

Arising Out of PS. Case No.-87 Year-2018 Thana- GORIAKOTHI District- Siwan

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1. Kailash Yadav @ Kailash Yadawa son of Late Mukhlal Yadav, Resident of Village- Jalpurwa, P.S. Goreakothi, District- Siwan.
 2. Manjeet Yadav @ Manjeet Kumar @ Manjeet Yadawa, son of Kailash Yadav @ Kailash Yadawa, Resident of Village- Jalpurwa, P.S. Goreakothi, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh

For the Opposite Party/s : Mr. Sri Nityanand

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 29-11-2018

Heard learned counsel for the parties.

Petitioners seek bail in Goreakothi P.S. Case No. 87 of 2018 registered for the offences punishable under Sections 302, 201, 379, 120(B)/34 of the Indian Penal Code.

The allegation against the petitioners is to have strangled brother-in-law of the informant (Devar) and threw his dead body in orchard.

It has been submitted on behalf of the petitioners that they have falsely been implicated in this case and they are not named in the F.I.R. After recovery of the dead body, the F.I.R. was lodged. There is no eye witness to the occurrence. Save and except, suspicion, there is no incriminating material against



him. It has further been submitted that similarly placed co-accused, namely, Sanjeet Yadav @ Saneep Yadav has already been granted bail by a co-ordinate Bench of this Court vide order dated 11.10.2018 passed in Cr. Misc. No.62506 of 2018. It has also been submitted that the petitioner nos. 1 and 2 are in custody since 13.05.2018 and 08.08.2018 respectively having no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned C.J.M., Siwan in connection with Goreakothi P.S. Case No. 87 of 2018, with following conditions:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioners shall co-operate in the trial and shall be represented on each and every date fixed by the court.
- (3) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for



cancellation of bail of the
petitioners.

(S. Kumar, J)

Sanjay/-

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