

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6857 of 2018

Arising Out of PS. Case No.-226 Year-2015 Thana- SULTANGANJ District- Bhagalpur

Lavish Yadav @ Lovan @ Lavana, son of Late Puran Yadav, resident of
Village- Gosaidashpur, P.S.- Nathnagar, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya

For the Opposite Party/s : Mr. SRI NAWAL KISHORE PRASAD

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

5 29-03-2018 Heard learned counsel for the petitioner and the learned
APP for the State.

Petitioner, already, in custody seeks bail in connection with
Sultanganj P.S. Case No.226 of 2015, registered under Sections
302, 34 of the Indian Penal Code as well as under Section 27 of
the Arms Act.

Allegation is that the informant saw Mannan Singh, FIR
named accused, escaping away after killing her husband and the
material transpired against the petitioner is his confessional
statement.

Learned counsel for the petitioner submits that petitioner is
not named in the FIR, the investigation has been completed, no
eyewitness has named the petitioner. It is further submitted that
except the so called confessional statement of the petitioner and
the criminal antecedent, there is no other material and similarly
situated another co-accused Jyotish Yadav has been admitted to
bail by a coordinate Bench of this Court by order dated
12.04.2017 passed in Cr. Misc. No.6391 of 2017 and the



petitioner is in custody since 23.05.2016.

Having considered the aforesaid facts and circumstances and the fact that similarly situated co-accused Jyotish Yadav has been admitted to bail, petitioner Lavish Yadav @ Lovan @ Lavana is directed to be released 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 5th Additional Sessions Judge, Bhagalpur in connection with Sultanganj P.S. Case No.226 of 2015, giving rise to Sessions Trial No.511 of 2016 with following conditions:

(1) The petitioner shall not tamper with the evidence or induce any witness.

(2) One of the bailors must be the close family member of the petitioner.

(3) The petitioner shall remain physically present on each and every date before the trial court as and when required and if he absents himself on two consecutive dates without any reasonable cause, his bail bond shall liable to be cancelled.

(Arun Kumar, J)

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