

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.68824 of 2018

Arising Out of PS. Case No.-387 Year-2018 Thana- NATHNAGAR District- Bhagalpur

Rajnish Yadav, Son of Deepak Yadav @ Deepak Kumar, Resident of Mohalla-
Anathalaya Road, Nathnagar, P.S.- Nathnagar, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha

For the Opposite Party/s : Mr. Sri Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 29-11-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Nathnagar P.S. Case No. 387 of 2018 registered for the offence punishable under Sections 302 & 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

Informant has alleged in the FIR that Shankar Yadav was taken by Akash Sah on his motorcycle for a ride and at 11:00 PM he received information from Mayaganj Hospital that Shankar Yadav has been shot and he is admitted in the hospital and thereafter he and other family members went there and found him to be dead. Akash Sah was also admitted in the hospital as he became unconscious after hearing that Shankar Yadav is dead. It has been further alleged that 12 accused in the FIR has been named of hatching the criminal conspiracy to kill Shankar Yadav.



It has been submitted on behalf of the petitioner that after investigation police did not find case to be true against him and submitted final form against him but differing with the police report the trial court has taken cognizance against him. Petitioner is in custody since 21.06.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Bhagalpur, in connection with Nathnagar P.S. Case No. 387 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers 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 petitioner.

(S. Kumar, J)

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