

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22338 of 2018

Arising Out of PS.Case No. -716 Year- 2017 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

=====

Anil Kumar Yadav @ Anil Yadav, son of Late Shambhu Yadav, Resident of Village- Shankar Saraiya, Ahirtoli, Police Station- Turkauliya, District-East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Arun Kumar Lal, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 30-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 5.1.2018 in connection with Turkauliya P.S. Case No.716 of 2017 for the offences alleged under Sections 302/120(B) of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion and there is no objective material to connect the petitioner with the alleged occurrence. Similarly situated co-accused Manager Sahnai has been granted bail by this Court in Cr. Misc. No.17168 of 2018.

4. Learned A.P.P. assisted by learned counsel for the



informant appearing suo mutu opposes the bail petition.

5. A perusal of paragraph-20 of the case diary discloses that the last call was received on the Cell Phone of the deceased at 10.19 A.M. on the date of occurrence and not at about 3.00 P.M. as stated by the informant in her fardbeyan.

6. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount leach to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Turkauliya P.S. case No.716 of 2017, on the following conditions :

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the



investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

N.H./-

U		T	
---	--	---	--

