

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18674 of 2018

Arising Out of PS.Case No. -131 Year- 2017 Thana -SONBERSA District- SAHARSA

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1. Wokil Kumar, Son of Sri Pramanand Yadav, Resident of village Amrita,
P.S. Sonbarsa Raj, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Surendra Prasad Singh

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 26-04-2018 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner has been in custody since
11.09.2017 in connection with Sonbarsa Raj P.S. Case
No. 131/2017 registered for the offences punishable
under Sections 307/302 of the Indian Penal Code and
Section 27 of the Arms Act.

Learned counsel for the petitioner submits
that the petitioner and the deceased were full brothers
and the informant is the wife of the deceased brother. It
is further submitted that there was no enmity between
the two brothers and the allegation that the petitioner
had been resisted from using the motorcycle which had
led to the occurrence of murder is wholly absurd and
illogical. It is further submitted that for only such



reasons, the petitioner is being suspected.

Considering the aforementioned facts and circumstances of the case and also that the petitioner has no criminal antecedent, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sahrsa, in connection with Sonbarsa Raj P.S. Case No. 131/2017, subject to the following conditions:-

- (1) One of the bailors will be his father.
- (2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.
- (3) 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 reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.
- (4) The petitioner shall co-operate 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.

(Anjana Mishra, J)

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