

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43546 of 2018

Arising Out of PS. Case No.-4 Year-2017 Thana- KAJRA District- Lakhisarai

Adhik Yadav, S/o Aapi Yadav @ Copy Yadav, Resident of Village- Champa
Nagar, P.S.- Kajra, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s : Mr. Sri Aditya Narayan Singh 1

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 29-08-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Kajra P.S. Case No. 04 of 2017 registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

Informant is the father of deceased, who in his written complaint has stated that on 28.01.2017 at about 12.30 P.M. his son Saurabh Kumar alongwith Ravish Kumar and one cousin of Ravish Kumar went to market and thereafter at 5.00 PM the Chaukidar informed him that his son Saurabh Kumar is admitted in Suryagarha Hospital and thereafter he proceeded towards hospital and in his way near Kajra police station in Lakhna village he came to know that the villagers have caught



hold his son and brutally assaulted him and police had carried him to Suryagarha hospital and when he reached there at 8.00 PM his son was dead. He has stated that some unknown villagers have killed his son by assaulting him. The name of petitioner has come during course of investigation and some witnesses have stated involvement of petitioner in said killing. However, informant has not raised any suspicion against him at the time of institution of written complaint, although his son had accompanied the son of petitioner. Petitioner is in custody since 16.04.2018.

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 C.J.M., Lakhisarai, in connection with Kajra P.S. Case No. 04 of 2017 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 present 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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