

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21437 of 2018

Arising Out of PS.Case No. -55 Year- 2017 Thana -AGIAUN BAZAR District- BHOJPUR

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1. Ghura Yadav @ Mukesh Yadav son of Pulish Yadav resident of Village :
Dihari Tola, P.S. Agiaon Bazar, District Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Sri Anuj Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-06-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Agiaon Bazar P.S.Case nO.55/17 date 13.7.2017 , registered for offences punishable under Sections 302 and 201/34 of the Indian Penal Code.

Allegation against the petitioner is of causing death of Govind Choudhary. The petitioner is named in the FIR.

Submission of the learned counsel for the petitioner is that except suspicion there is nothing against the petitioner and even brother and mother of the petitioner have not named this petitioner, as the person who has taken the deceased though some informants have stated so and except suspicion absolutely there is nothing against him.

Heard learned A.P.P. also, who has opposed the prayer for bail.



Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, surrender before the court below within a period of six weeks from the date of receipt of the order and on his surrender, he will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. VIII, Ara (Bhojpur) in connection with Agiaon Bazar P.S.Case No.55 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.
- (iv) If some serious incriminating materials comes against the petitioner no.1 during the investigation, the prosecution shall move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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