

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65786 of 2018

Arising Out of PS. Case No.-357 Year-2017 Thana- BARHARIA District- Siwan

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Jitendra Kumar Yadav Son of Hanumant Yadav Resident of Village-
Gopalpur, Police Station-Siwan Muffasil, Distt.-Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad

For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 19-11-2018

Heard learned counsel for the parties.

The petitioner seeks bail in **Barharia P.S. Case No. 357 of 2017** registered for the offence punishable under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner is of committing murder of the brother of the Informant though he is not named in the FIR. FIR is against unknown.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. It has been further submitted that the name of the petitioner has transpired in this case in the subsequent statement of the Informant. Similarly, situated co-accused persons have been granted bail by co-ordinate benches of this Court vide orders



dated 19.02.2018 in Criminal Miscellaneous No. 7994 of 2018
and 04.04.2018 in Criminal Miscellaneous No. 10316 of 2018.
Petitioner has got no criminal antecedent and is in custody since
01.06.2018.

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/- with two sureties of the like
amount each to the satisfaction of learned **Chief Judicial
Magistrate, Siwan**, in connection with **Barharia P.S. Case No.
357 of 2017**, with following conditions:-

(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 represented on each and every date
fixed by the court.

(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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