

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9171 of 2018

Arising Out of PS.Case No. -87 Year- 2017 Thana -KATIHAR MUFFASIL District- KATIHAR
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1. SUMIT KUMAR YADAV @ SUMIT YADAV S/o Late Dilip Yadav,
R/o Village- Digghi, P.S.- Murliganj, District- Madhepura, at present
residing at Lohiyanagar, Katihar, P.S.- Katihar (Sahayak), District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jibendra Mishra

For the Opposite Party/s : Mr. Ajay Kumar Jha

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 08-03-2018 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner has been in custody since
06.11.2017 in connection with Katihar (Muffasil) P.S.
Case No. 87/2017 registered for the offences punishable
under Sections 302/120(B) of the Indian Penal Code.

Learned counsel for the petitioner submits
that though the father has initially said that the petitioner
had taken the victim with himself, later on, the mother
has stated that he was not taken by the petitioner rather
he had gone out himself. It is submitted that only on
suspicion, he has been named in connection with the
present case and actually the deceased has met with an



accident on account of rash driving.

Having considered the facts and circumstances of the case and that admittedly the petitioner is being prosecuted in this case on mere suspicion, 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 Judicial Magistrate, 1st Class, Katihar, in connection with Katihar (Muffasil) P.S. Case No. 87/2017, subject to the following conditions:-

- (1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.
- (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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