

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16001 of 2018

Arising Out of PS.Case No. -19 Year- 2016 Thana -JAYNAGAR District- MADHUBANI

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1. Kishore Kumar Yadav @ Kishore Yadav, S/o Sri Narain Yadav,
2. Shiv Kumar Mahto @ Lal Mahto S/o Chandu Mahto,
3. Sri Narayan Yadav S/o Bauelal Yadav, All R/o Village- Mathia Tole
Kamlabari, P.S.- Jaingar, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 24-04-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Jainagar P.S.Cae No.19 of 2016 , registered for offences punishable under Sections 302/34 of the Indian Penal Code.

Allegation against the petitioners is of causing death of the brother of the informant. The petitioners are named in the FIR.

Submission of the learned counsel for the petitioners is that he has been named only on the basis that they were seen fleeing away from the place of occurrence and the police after investigation has submitted final form not finding the case true against these petitioners but the learned Magistrate has taken cognizance differing with the opinion of the police.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, surrender before the court below within a period of four weeks from the date of order and on their surrender they will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Madhubani in connection with Jainagar P.S.Case No.19 of 2016, 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 petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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