

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26045 of 2018

Arising Out of PS.Case No. -480 Year- 2017 Thana -RUPASPUR District- PATNA

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Yogendra Kumar @ Yogendra Rai, Son of Late Bhishan Rai @ Bhikham Rai, Resident of Mohalla- South Mandiri @ Dakshini Mandiri, P.S.- Budha Colony, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lilawati Singh

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

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 02-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Rupaspur P.S.
Case No. 480 of 2017 for offences punishable under Sections
302/34/120(B) of the Indian Penal Code and Section 27 of the
Arms Act.

The prosecution case, as lodged by the informant, is
that his wife informed him that his son Dharmendra Kumar has
been shot and is taken to the hospital. In the hospital, the
informant's son was declared dead. It is further alleged that co-
accused Abhishek Kumar had taken his son in his motorcycle.



Further allegation is that the petitioner had earlier threatened his son and he must be instrumental in killing his son.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case only on suspicion. He submits that there is no eye witness to the alleged occurrence and just because earlier at some point of time there was some dispute between the petitioner and the informant's son could not have been a ground for complicity of the petitioner by the informant. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner and that he is languishing in judicial custody since more than four months.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IIInd, Danapur in connection with Rupaspur P.S. Case No. 480 of 2017, subject to the condition



that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

Devendra/-

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