

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2328 of 2019

Arising Out of PS. Case No.-242 Year-2017 Thana- RANIGANJ District- Araria

Mukesh Yadav S/o- Harish Chandra Yadav Resident of Village- Matiyari,
P.S.- Raniganj (R.S.), District - Araria

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhu Narayan Sharma

For the Opposite Party/s : Mr.Bhanu Pratap Singh (App 14)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 30-01-2019 Heard learned counsel for the parties.

Earlier the bail of the petitioner was rejected vide order dated 16.01.2018 passed in Criminal Miscellaneous No. 59130 of 2017.

Petitioner seeks bail in **S.T. No. 372 of 2017 arising out of Raniganj P.S. Case No. 242 of 2017** registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

Allegation against the petitioner is of killing the daughter of the Informant in collusion with FIR named accused.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. It has been submitted that the DW-1 and DW-4 in their deposition have stated that petitioner received burn injury when he was



trying to save the life of the deceased. The injury report of the petitioner has been annexed as Annexure-7 which also corroborates the evidence of the DWs. Petitioner has been remanded in this case on 08.07.2017 and since then he is in custody.

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 **2nd Additional Sessions Judge, Araria**, in connection with **S.T. No. 372 of 2017 arising out of Raniganj P.S. Case No. 242 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(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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