

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10471 of 2019**

Arising Out of PS. Case No.-731 Year-2016 Thana- NAWADA District- Nawada

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TINKU KUMAR @ PINTU YADAV @ TINKU YADAV aged about 25 years
male, Son of Gaju Yadav R/o village- Mahakar, P.S- Roh, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar

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

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 07-03-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Nawada Town P.S. Case No. 731 of 2016** registered for the offence punishable under Sections 302 of the Indian Penal Code.

Allegation against the petitioner is of killing the wife of 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 on mere suspicion. It has further been submitted that Informant is not the



eye witness. During the course of investigation except suspicion no incriminating material has come against the petitioner. Similarly, situated co-accused person has been granted bail by a co-ordinate bench of this Court vide order dated 06.04.2018 in Criminal Miscellaneous No. 12744 of 2018. Petitioner has got no criminal antecedent and is in custody since 25.10.2018.

Learned counsel for the Informant vehemently opposes the prayer for bail.

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, Nawada** in connection with **Nawada Town P.S. Case No. 731 of 2016**, 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 absence on two consecutive dates without sufficient reason, his 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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