

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8537 of 2019

Arising Out of PS. Case No.-57 Year-2015 Thana- BIHPUR District- Bhagalpur

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Pawan Yadav, aged about 30 years, Male, Son of Late Lakhan Yadav,
Resident of village and Post – Narayanpur, P.S. Bihpur (Bhawanipur),
District- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Md. Aslam Ansari (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 27-02-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Sessions Trial No. 327 of 2017 arising out of
Bihpur (Bhawanipur) P.S. Case No. 57 of 2015 (G.R. No. 207 of
2015) registered for the offences punishable under Sections
364, 120(B)/34 of the Indian Penal Code.

The First Information Report relates to offence of
murder allegedly committed by unknown persons.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. He has been
falsely implicated in this case due to dirty village politics.
Nothing has been recovered from the possession of the



petitioner. Similarly placed co-accused have been granted bail by co-ordinate bench of this court as contained in Annexures 2 to 6 of the bail petition. Petitioner has no criminal antecedent and is in custody since 18.12.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge, Naugachia, District-Bhagalpur, in connection with Sessions Trial No. 327 of 2017 arising out of Bihpur (Bhawanipur) P.S. Case No. 57 of 2015 (G.R. No. 207 of 2015), subject to 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 Court and his absence on two consecutive dates without sufficient reasons, 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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