

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1068 of 2019

Arising Out of PS. Case No.-15 Year-2018 Thana- NAWADA District- Nawada

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LADDU YADAV @ DINESH KUMAR @ DINESH YADAV son of late
Lakhan Yadav, resident of Village- Nahalichak (Sidheshwarpur), P.S.-
Nawada, District- Nowada.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar

For the Respondent/s : Mr.Sri Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 15-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Nawada Town P.S. Case No. 15
of 2018 registered for the offence punishable under Sections
364/34 of the Indian Penal Code in which subsequently Sections
302, 201 and 120B of the IPC were also added.

Informant in his written complaint has alleged that on
11.01.2018 at about 4:30 P.M., his brother-in-law Krishan Yadav
was going to his Sasural and had come to attend the court and in
his way near Nehaluchak More FIR named accused inculding
the petitioner stopped the bus and dragged him out and forcibly
took him on Bolero vehicle and with such allegations made FIR
was registered under Section 364/34 of the IPC at about 10:00
P.M. Subsequently the dead body was found and section 302



was added.

It has been submitted on behalf of the petitioner that he has falsely been implicated in this case due to previous enmity and has been made accused in this case only on suspicion and informant has not disclosed his source of information as to how he came to know about the incident and presence of the petitioner. During investigation the police has recorded the statement of driver and co-driver which does not support the prosecution case. Petitioner has no criminal antecedent and he is in custody since 04.08.2018. Similarly placed co-accused Upendra Yadav and another have already been granted bail by a co-ordinate Bench of this Court vide order dated 03.12.2018 passed in Cr. Misc. No.66477 of 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/- 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. 15 of 2018, 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)

Sanjay/-

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