

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4738 of 2018

Arising Out of PS. Case No.-296 Year-2018 Thana- BYPASS District- Patna

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Golu Kumar @ Rohit Yadav S/o Amarnath Yadav, R/o Kathoutia Gali, P.S.-
Chowk, District- Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Pramod Kumar

For the Respondent/s : Mr.Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 02-01-2019 Heard learned counsel for the appellant and learned
counsel for the State.

Appellant, who is in custody, seeks bail in connection with Spl. Case No. 487 of 2018 arising out of Bypass P.S. Case No. 296 of 2018 registered for the offence punishable under Sections 302, 120(B)/34 of the Indian Penal Code and Section 27 of the SC/ST Act.

Informant has alleged in his written complaint that he came to know that his brother has been murdered and on seeing the photographs on mobile in the police station he recognized and thereafter he went at the place of occurrence and from the neighbouring people he came to know that accused Roshan Kumar who resides as a tenant had altercation with his brother on 2-3 earlier occasions. He suspects that said Roshan



Kumar and Golu Kumar and 3-4 unknown assailants have committed the murder of his brother after taking him in confidence.

It has been submitted on behalf of the appellant that he is innocent and has been falsely implicated in this case, except suspicion there is no other material against him. appellant has no criminal antecedent and he is in custody since 05.10.2018.

Considering the aforesaid facts and circumstances of the case, let the appellant named above be released on bail during pendency of the appeal upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. IV cum Special Judge, Patna, in connection with Spl. Case No. 487 of 2018 arising out of Bypass P.S. Case No. 296 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the appellant 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 appellant.

(S. Kumar, J)

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