

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70950 of 2018

Arising Out of PS. Case No.-134 Year-2016 Thana- GOPALPUR District- Bhagalpur

Kumodi Yadav Son of Late Rajendra Yadav, Resident of Village- Bhawanipur,
P.S.- Gopalpur Rangra O.P., District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Choudhary, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

6 14-02-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody since 20.03.2018 in connection with Gopalpur P.S. Case No. 134 of 2016 corresponding to G.R. No. 664-C/2016 for the offence registered under Sections 302, 120(B)/34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is not named in the first information report but subsequently on the confessional statement of the co-accused, who have been inimical terms with the petitioner on account of political reasons the petitioner has been implicated in connection with the present case. It is further submitted that the named accused persons, namely Lootan Sah & Mukul



Choudhary, who were in fact having rivalry with the deceased, have since been extended the privilege of bail in Cr. Misc. No. 11353 of 2017 vide order dated 20.03.2017 and Cr. Misc. No. 50132 of 2016 vide order dated 25.01.2017. Learned counsel for the petitioner thus, submits that the petitioner may also be extended the privilege of bail.

Considering the aforesaid facts and circumstances of the case and the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M. -II, Nawgachia in connection with Gopalpur P.S. Case No. 134 of 2016, subject to the following conditions:-

1. One of the bailors will be his own blood relative, preferably, father, mother, son, brother, sister and/or his wife.
2. The petitioner shall not indulge himself in any similar offence till conclusion of the trial.
3. The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.



4. The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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