

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41460 of 2019

Arising Out of PS. Case No.-137 Year-2017 Thana- SATHI District- West Champaran

JANAK YADAV, aged about 32 years, Male, Son of Sukul Yadav, Resident of Village-Basantpur, Police Station-Sathi, District-West Champaran at Bettiah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh, Adv.

For the Opposite Party/s : Mr.Syed Mojibur Rahman (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 27-09-2019 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Sathi P.S. Case No. 137 of 2017 registered for the offences punishable under Sections 341, 342, 323, 302, 120-B/34 of the Indian Penal Code.

Informant Janak Sharma in his written complaint has stated that his son deceased Sukesh Sharma age about 22 years, had fled away with Ranju Devi daughter of Bharat Yadav and after two months they came back and for which an F.I.R. was instituted against all family members. However, on statement of victim the case was closed thereafter Bharat Yadav and his in-laws Shukul Yadav always threatened to kill him and on 19.09.2017 his son received a call and went outside but even



after much search he could not be found and on 20.09.2017 at 5:00 A.M. he was informed that F.I.R. named accused including petitioner have brutally assaulted his son and he is admitted in a hospital where he died.

It has been submitted on behalf of the petitioner that petitioner is innocent and has been falsely implicated in this case on basis of suspicion only. There is no specific allegation against him. Allegations are general and omnibus in nature against all accused. Petitioner has no criminal antecedent and he is in custody since 20.09.2017. Charges has already been framed in this case.

Considering the aforesaid fact 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 Additional Chief Judicial Magistrate-VII, West Champaran at Bettiah, in connection with Sathi P.S. Case No. 137 of 2017, 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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