

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78360 of 2018

Arising Out of PS. Case No.-20 Year-2018 Thana- KAJRA District- Lakhisarai *

Chandan Yadav S/o Chhabila Yadav R/o Village-Punadih,P.S. Kajara,Dist.-
Lakhisarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Sri Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 01-03-2019 Heard learned counsel for petitioner and learned counsel
for the State.

Petitioner, who is in custody, seeks bail in connection
with **Kajara P.S. Case No. 20 of 2018** registered for the
offences punishable under Section 302/34 of the Indian Penal
Code and Section 27 of the Arms Act.

Informant in his written complaint has alleged that on
20.04.2018 while he along with family members were sleeping,
14-15 miscreants variously armed came and knocked the door
and asked about the whereabouts of Rajesh Yadav and thereafter
went on the roof where Rajesh Yadav was sleeping and tied both
of his hands from towel and took him near Bathan and all FIR
named accused including petitioner shot fired upon him and fled
away as a result of which he died. The reason for killing was



that deceased Rajesh Yadav was a witness in murder of his uncle Anup Yadav in which accused in present case Mahesh Yadav, Kishori Yadav and Gopal Yadav were also accused in said case and deceased Rajesh Yadav was witness.

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 previous enmity. There is general and omnibus allegation against petitioner. Petitioner has no criminal antecedent and is in custody since 07.08.2018.

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, Lakhisarai**, in connection with **Kajara P.S. Case No. 20 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/her absence on two consecutive dates without sufficient reason, his/her 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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