

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79705 of 2018

Arising Out of PS. Case No.-240 Year-2018 Thana- BUXAR MUFFSIL District- Buxar

Mahendra Yadav @ Jhota Yadav, son of Late Jhagru Yadav, resident of Village- Chakarhasi, Police Station- Buxar Muffasil In the district of Buxar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Adv.

For the Opposite Party/s : Mr.Sri Ataur Rahman (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 21-02-2019 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Buxar Muffasil P.S. Case No. 240 2018 registered for the offences punishable under Sections 341, 342, 302/34 of the Indian Penal Code and Section 27 Arms Act.

Informant has alleged that while his father was returning to his house, three unidentified miscreants fired him from behind as a result of which he got injured and died while being carried to hospital. He suspects that because of old enmity some unknown persons had killed him.

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 only on the basis of suspicion. He



has clean antecedent and one similarly placed co-accused Munna Choubey has been granted Anticipatory bail by co-ordinate bench of this court vide order dated 28.01.2019 passed in Cr. Misc. No. 449 of 2019. Petitioner is in custody since 04.09.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, in connection with Buxar Muffasil P.S. Case No. 240 of 2018, 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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