

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81852 of 2019

Arising Out of PS. Case No.-82 Year-2019 Thana- BABUBARHI District- Madhubani

Jai Prakash Yadav @ Chotu Yadav @ Chotu @ Mian Yadav @ Mian Son of Asharfi Yadav Resident of Village - Jhanjhpati, P.S.- Khutona, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate

For the Opposite Party/s : Mr.Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offences punishable under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Submission is that the petitioner is not named in the FIR; rather co-accused Surendra Bhindwar and three unknown are arrayed as accused. Name of the petitioner surfaced in the confessional statement of co-accused before the police. Thereafter, confession of the petitioner was also recorded by the police. Petitioner is in custody since 10.05.2019. Investigation of the case is already complete. There is no allegation of tampering with the evidence.



Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with S.T. No.317 of 2019, arising out of Babubarhi P.S. Case No.82 of 2019, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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