

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68243 of 2019

Arising Out of PS. Case No.-301 Year-2017 Thana- LAXMIPUR District- Jamui

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Saudagar Yadav S/o Late Chitaman Yadav R/o village- Maghi, P.S.- Laxmipur, District- Jamui	... Petitioner
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Versus

The State of Bihar	... Opposite Party
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Appearance :

For the Petitioner : Mr.Pramod Kumar, Advocate

For the Opposite Party : Mr.Syed Mojibur Rahman, Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 31-01-2020 Heard learned counsel for the petitioner as well as
learned counsel for the State.

The petitioner is an accused in a case registered for
offence under sections 302, 120B/34 of the Indian Penal Code.

The informant alleges that on 15.12.2017 at about 7
PM his wife went out of the house for attending call of nature
but she did not return and on 16.12.2017 he got information that
her dead body was lying in the under construction house of one
Manoj Yadav.

Learned counsel for the petitioner submits that the
petitioner is not named in the FIR, though some other accused
persons have been named therein. Petitioner has falsely been
implicated in this case on suspicion after nine months of the
occurrence on the basis of the details of the CDR of phone of
the deceased in which it was found that the petitioner also used
to talk with the deceased. Save and except, there is nothing
against him to connect with the offence. He further submits that
the petitioner is no way related with the informant or the
deceased. Petitioner is in custody since 15.4.2019 having no
criminal antecedent. Charge sheet has also been filed in the



case.

In view of the aforesaid submissions, let the petitioner, mentioned above, 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 the Additional Chief Judicial Magistrate III, Jamui in Sessions Trial No. 254 of 2019, Laxmipur Police Station Case No. 301/2017, on the following conditions:-

(1) 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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