

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 1421 of 2020**

Arising Out of PS. Case No.-86 Year-2014 Thana- TERHAGACHH District- Kishanganj

MAYANAND YADAV @ NEPALI S/o Late Nasib Lal Yadav Resident of
Village- Bangama, P.S.- Palasi, Dist- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr Ramesh Kumar Singh, Advocate
For the Opposite Party/s : Mr Satyendra Narayan Singh, APP

**CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD
ORAL ORDER**

3 20-03-2020 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in Terhagachh Police Station (for
brevity, *PS*) Case No 86 of 2014 dated 11.12.2014 instituted for
the offence punishable under Section (s) 302, 201 of Indian
Penal Code.

The informant has alleged that his brother left for home
on his motorcycle but he did not reach home and next morning
at 8 am, the dead body of his brother was recovered.

Learned counsel for the petitioner submits that merely on
suspicion, the petitioner has been implicated in this case upon
his own confessional statement. The implication is having
regard to the criminal antecedents of the petitioner. Eight out of
nineteen charge sheet witnesses have been examined at the trial
including the informant but none has supported the prosecution



case. Petitioner, upon his remand in the instant case on 03.11.2017 is in custody.

Learned APP for the State opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sessions Judge, Kishanganj in connection with Terhagachh PS Case No 86 of 2014 corresponding to Sessions Trial No 57 of 2018 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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