

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5008 of 2021

Arising Out of PS. Case No.-274 Year-2018 Thana- KAUWAKOL District- Nawada

Mithlesh Kumar Yadav @Mithlesh Yadav @don Aged About 28 Years Son Of
Late Baleshwar Yadav @ Baleshwar Prasad Resident of Village- Nawadih,
P.S.- Kawakole (Rupau), District- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Deepak Kumar, Advocate
For the Opposite Party : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-03-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 302 of the Indian Penal Code.

As per the prosecution case, on 4.12.2018 in the morning brother of the informant had gone with co-accused Sunil Yadav and later on his dead body was found in the Bichli Tar.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR and even as per the FIR it was co-accused Sunil Yadav who was accompanying the informant's brother and name of the petitioner has come on the confessional statement of co-accused Sunil Yadav and said Sunil Yadav has already been allowed bail by this court vide



Annexure 2. Petitioner is in custody since 18.7.2020.

Considering the facts and circumstances of the case and the fact that name of the petitioner has come on the confessional statement of co-accused Sunil Yadav and said Sunil Yadav has already been allowed bail by this court, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate IV, Nawada in Kawakole Rupau Police Station Case No. 274 of 2018 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/her absence on two consecutive dates without sufficient reason, his/her 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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