

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57449 of 2021

Arising Out of PS. Case No.-590 Year-2020 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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KAILASH YADAV @ SADHU, Son of Late Gurucharan Yadav Resident of
Muhalla- Hanuman Path, Tilkamanjhi, P.S.- Tilkamanjhi, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Diwakar Upadhyaya, Advocate
For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 30-03-2022 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Section 302 of the Indian Penal Code
and Section 27 Arms Act.

Informant is the widow of deceased who in her written
complaint has alleged that her husband was posted in Jawahar
Lal Nehru College girls hostel as a private guard of Altas
Company. On 06.10.2020 in the evening at 7:00 P.M. her
husband went on duty and informed at 9:00 P.M., that he
reached safely and is on duty and on 07.10.2020 at 3 P.M. she
received information that her husband has been killed. FIR is
against unknown persons. During investigation it has come that
Kailash Yadav (petitioner) with his two associates were seen

fleeing from the hostel and on basis of which he was apprehended and he has also confessed his involvement in crime.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case only on the basis of suspicion, except his confessional statement there is no any other incriminating material found against him. Petitioner is in custody since 30.05.2021.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Kotwali (Tilkamanjhi) P.S. Case No. 590/2020 with following conditions:-

(1) Both the bailors shall be the resident of territorial jurisdiction of the learned court-below.

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

(S. Kumar, J)

Rajiv/veena-

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