

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42298 of 2019**

Arising Out of PS. Case No.-676 Year-2018 Thana- NATHNAGAR District- Bhagalpur

BOUDHU YADAV Son of Late Rashu Yadav Resident of Village- Raghapur
Tikar, P.S.- Madhusudanpur, Distt- Bhagalpur ... Petitioner
Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : Mr.Swapnil Kumar Singh, Advocate
For the Opposite Party : Mr.Anil Prasad Singh, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

4 24-10-2019 Heard learned counsel for the parties and perused the case diary.

Petitioner is an accused in a case registered for the offence punishable under section 302 and other allied sections of the Indian Penal Code.

Learned counsel for the petitioner submits that if the prosecution is taken to be true, petitioner is only said to be an order giver and the main assailant of hurling knife blow on the informant's son (the deceased) is one Lagga yadav. Petitioner is in custody since 7.11.2018 though he has got no criminal antecedent. Charge sheet has also been filed in the case, as such, there is no chance of tempering with the evidence.

In view of the facts and circumstances of the case, prayer for bail of the petitioner is allowed. 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, 1st class, Bhagalpur in Nathnagar (Madhusudanpur) Police Station Case No. 676 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tempers 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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