

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49488 of 2019

Arising Out of PS. Case No.-223 Year-2019 Thana- HILSA District- Nalanda

Shiv Kumar Yadav Son of Siya Sharan Yadav Resident of Village-Gosaimath,
P.S.-Hilsa, District-Nalanda ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Rajeev Kumar, Advocate

For the Opposite Party : Mr.Shyam Kumar Singh, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-11-2019 Heard learned counsel for the petitioner as well
learned counsel for the State.

Petitioner is an accused in a case registered for the
offence punishable under sections 302, 120B/34 of the Indian
Penal Code and 27 of the Arms Act.

It is alleged that three accused persons, named in the
FIR, overpowered informant's husband and one of them fired at
his chest causing his instant death. Petitioner has been named in
the FIR as the conspirator of the offence.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case on suspicion
without assigning any specific role, though, accused Amar
Kumar @ Binay Kumar has been alleged to have fired at the
victim's chest causing his death. Charge sheet has also been
filed in the case, as such, there is no chance of tempering with



the evidence. Petitioner is in custody since 27.5.2019.

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-I, Hilsa, Nalanda in Hilsa Police Station Case No. 223 of 2019 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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