

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80667 of 2018

Arising Out of PS. Case No.-20 Year-2018 Thana- KAJRA District- Lakhisarai *

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Sarjan Yadav, Son of Chhabila Yadav, R/o Villalge- Punadih, P.S. Kajara,
District- Lakhisharai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv.

For the Opposite Party/s : Mr.Sri Gauri Shankar Gupta (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 27-02-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Kajara P.S. Case No. 20 of 2018 registered for
the offences punishable under Section 302/34 of the Indian
Penal Code and Section 27 of the Arms Act.

Informant has alleged that on 20.04.2018 while he
along with family members were sleeping when 14-15
miscreants variously armed came and knocked the door and
asked where was Rajesh Yadav and thereafter went on the roof
where Rajesh Yadav was sleeping and tied both of his hands
from towel and took him near Bathan and all FIR named
accused including petitioner shot fired upon him and fled away



as a result he died. The reason for killing was that deceased Rajesh Yadav was a witness in murder of his uncle Anup Yadav in which accused in present case Mahesh Yadav, Kishori Yadav and Gopal Yadav were also accused in said case and deceased Rajesh Yadav was witness.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case due to previous enmity. There is general and omnibus allegation against petitioner. Petitioner has no criminal antecedent and is in custody since 07.08.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai, in connection with Kajara P.S. Case No. 20 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) 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 Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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