

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4158 of 2020**

Arising Out of PS. Case No.-331 Year-2018 Thana- SAUR BAZAR District- Saharsa

Raja Yadav @ Raju Kumar Son of Jay Kishore Yadav Resident of Village-
Kanp (East), Tola- Thengha, P.S.- Sour Bazar, Distt- Saharsa ... Petitioner
Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Satish Kumar Singh, Advocate
For the Opposite Party : Mr.Md. Iftekhhar Mahmood, Addl Public Prosecutor

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

2 22-01-2020 Heard learned counsel for the parties.

Petitioner is an accused in a case registered for the offence punishable under sections 302,201,120B/34 of the Indian Penal Code.

Informant has suspected that, for the reason disclosed in the FIR, accused Ramsheth Yadav, in league with other accused persons, has killed her husband near a canal.

Learned counsel for the petitioner submits that the petitioner has been implicated in this case merely on suspicion and on the confessional statement of co-accused Kundan Kumar. Further, in course of investigation nothing incriminating has come against the petitioner to connect him with the offence. Petitioner has got no criminal antecedent and he is in custody since 27.8.2019. Said Kundan Kumar has already been allowed bail by a bench of this Court vide order dated 11.1.2019, passed in Cr.Mis.No.73988/2019. Charge sheet has also been filed in the case, as such, there is no chance of tampering 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 Chief Judicial Magistrate, Saharsa in Sour Bazar (Bajnathpur OP) Police Station Case No. 331/2018, 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 absence on two consecutive dates without sufficient reason, his 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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