

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10659 of 2020

Arising Out of PS. Case No.-437 Year-2019 Thana- JAYNAGAR District- Madhubani

ROHIT YADAV Son of Sahdeo Yadav Resident of Village - Ranti Mohanpur,
P.S.- Rajnagar, Distt - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 02-06-2020 This matter has been taken up through Video Conferencing.

Heard the parties.

The petitioner is languishing in custody for the offences punishable under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The FIR would reveal that informant is not an eyewitness of the occurrence of murder of his son. However, Saroj Yadav who was accompanying the deceased on motorcycle is said to be an eyewitness of the occurrence. The police diary would reveal that Saroj Yadav has supported the occurrence of murder by causing fire-arm injury. However, he does not claim to have identified any of the assailants. Investigation of the case is already complete.



Considering the fact that there is no direct material against the petitioner except suspicion, let the petitioner, above named, be released on bail, on furnishing bail bond of Rs.20000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Jaynagar P.S. Case No. 437 of 2019 with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

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

(c) The petitioner shall not leave the country without permission of the trial Court.

If the petitioner would not be able in furnishing sureties due to lock-down, he shall be provisionally released on his personal bond and the provisional bail shall be confirmed only after production of the bailors within fifteen days of restoration of normal function of the Court.

(Birendra Kumar, J)

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