

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18543 of 2020

Arising Out of PS. Case No.-97 Year-2016 Thana- SHAMBHUGANJ District- Banka

Rudal Yadav @ Rudreshwari Yadav, aged about 54 years, Male, Son of Late Deban Yadav @ Devnandan Yadav, Resident of Village- Jhajha, P.S.- Fullidumar, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 21-09-2020 Heard the parties through the virtual court proceeding.

Petitioner seeks bail in connection with Shambhuganj P.S. Case No.97 of 2016 registered for the offences punishable under Sections 302, 201, 120(B), 34 of the Indian Penal Code.

As per the F.I.R., son of the informant had gone to Barat Party and later on his mobile was switched off and thereafter informant got an information two days later that his dead body was found in water of drain in Mouza Bahiyar and he identified the dead body of his son.

Learned counsel for the petitioner submits that the F.I.R. was lodged against unknown and it further appears during the investigation that deceased had love affairs with the petitioner's daughter and as such it is suspected that under



conspiracy, he has killed the deceased. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail vide order dated 28.01.2017 passed in Cr. Misc. No.5226 of 2017. Learned counsel for the petitioner further submits that there is only suspicion against the petitioner and the petitioner has no criminal antecedent. Charge sheet has been submitted and there is no allegation against the petitioner of tampering with the witness.

Learned A.P.P. has opposed the prayer for regular bail.

In the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M., Banka in connection with Shambhuganj P.S. Case No.97 of 2016, subject to the following 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 in case of 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.

(Anjani Kumar Sharan, J)

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