

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25748 of 2020

Arising Out of PS. Case No.-9 Year-2007 Thana- ATRI District- Gaya

Vinod Yadav @ Vinod Prasad Son of Parmeshwar Yadav Resident of Village-
Mirzabigha, P.S.- Neemchak Bathani, District- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailesh Kumar, Advocate

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 30-09-2020 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Atri P.S. Case no. 9 of 2007 registered under section 302 and other sections of the Indian Penal Code, section 27 of the Arms, section 17 of the CLA Act and sections 3 and 4 of the Explosive Substance Act.

As per allegation in the FIR, the accused persons including the petitioner herein are stated to have destroyed the house of the informant with dynamite. It is further stated that the accused persons numbering about 200 in total committed the murder of Bandhu Yadav and they looted various articles as stated in the FIR.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and



concocted. The petitioner has been falsely implicated in this case. He has no criminal antecedent and is in custody since 16.1.2020. It is further submitted that the case of the petitioner stands on a similar footing to that of a number of other co-accused namely Vijay Prasad, Satendra Prasad and Shayamdeo Ram who are all named in the FIR and have been enlarged on bail vide orders contained in Annexure 2 series.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the fact of the petitioner being in custody since 16.1.2020, his not having any criminal antecedent and grant of bail to other co-accused, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Atri P.S. Case no. 9 of 2007 on furnishing bail bond of Rs. 10,000/ (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya.

However, in view of the fact that the case is of the year 2007, it is directed that the petitioner shall remain present on each date of the trial and in case of his absence on two consecutive dates for reasons not the satisfaction of the learned



trial Court, bail of the petitioner shall be cancelled and he shall
be taken into custody till conclusion of the trial.

(Partha Sarthy, J)

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