

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24043 of 2020

Arising Out of PS. Case No.-1 Year-2020 Thana- NAYAGAON District- Begusarai

Dhirendra Yadav @ Dhiren Yadav Son of Late Kapildeo Yadav Resident of
Village- Mathar, P.S.- Nayagaon, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar

For the Opposite Party/s : Mr.Anuj Kumar Srivastava

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 04-11-2020 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in Nayagaon P.S. Case No. 1
of 2020, registered for the offence under Sections 302, 379,
120(B) of the Indian Penal Code and Section 27 of the Arms
Act.

As per the prosecution case, on 09-01-2020 at about
6:00 PM, while informant's brother (deceased) was sitting in the
verandah, the accused persons, named in the FIR, came and
invited him for a feast in the house of co-accused Praveen
Paswan, which informant's brother accepted and proceeded with
them. It is further alleged that on the same date at 7:30 PM, the
informant received an information that his brother has been shot
dead by co-accused Praveen Paswan. After getting this



information, the informant reached at the door of co-accused Praveen Paswan and saw the dead body of his brother.

It is submitted on behalf of petitioner that petitioner is not named in the FIR. Name of the petitioner has transpired during course of investigation. In paragraph – 8 of the case diary, the informant, in his re-statement, has alleged that petitioner was also sitting at the door of co-accused Praveen Paswan and petitioner is criminal in nature and two days earlier, some altercation also took place between him and his brother (deceased) and as such, the petitioner with other co-accused has committed the murder of his brother. It is further submitted that petitioner has been made accused only on suspicion and there is no eye-witness to the occurrence. Petitioner has surrendered in the court below on 12-02-2020 and since then, he is in custody. Chargesheet has already been submitted.

Considering the aforesaid facts and circumstances, the bail application of petitioner is allowed. Let the above-named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Ravi Ranjan, learned Judicial Magistrate 1st Class, Begusarai, in connection with Nayagaon P.S. Case No. 01 of 2020 on the following conditions:



“(1) Petitioner shall cooperate 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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