

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28359 of 2020

Arising Out of PS. Case No.-62 Year-2020 Thana- MAHARAJGANJ District- Siwan

Satyendra Yadav Son of Balram Yadav Resident of Village- Balaun, P.S.-
Maharajganj, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 01-12-2020 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in Maharajganj P.S. Case
No. 62 of 2020, registered for the offence punishable under
Sections 302/34 of the Indian Penal Code.

As per prosecution case, a quarrel took place
between the children of the village, thereafter, the informant and
others went to pacify the situation, in the meantime, the
petitioner and other FIR named accused came and started
assaulting informant's father, as a result of which, he fell down
and during course of treatment, he succumbed to his injuries.

It is submitted on behalf of petitioner that there is case
and counter case. There is general and omnibus allegation and



no no specific allegation has been alleged against this petitioner. It is further submitted that as per post-mortem report, the doctor has found only two injuries on the person of deceased. It is further submitted that one of the co-accused Jawahir Yadav has already been granted bail by this Court, vide order dated 21-10-2020 passed in Cr.Misc. No. 26917 of 2020. Chargesheet has already been submitted. The petitioner is in custody since 11-03-2020.

Considering the aforesaid facts and circumstances and the fact that one of the similarly situated co-accused has already been granted bail by this Court, the bail petition 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 learned Additional Chief Judicial Magistrate – V, Siwan in connection with Maharajganj P.S. Case No. 62 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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