

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31772 of 2020

Arising Out of PS. Case No.-64 Year-2019 Thana- BASANHI District- Saharsa

PRAMOD YADAV Son of Late Nathan Yadav @ Nathan Yadav Resident of
Village- Balaitha, P.S.- Basnahi, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, P.P. Incharge

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 15-12-2020 Learned counsel of the petitioner assures that he shall
remove the defects as pointed out by the office within four
weeks from the date when Court starts normal function.

Heard learned counsel appearing for the petitioner as
well as learned Additional Public Prosecutor for the State.

Petitioner is in jail custody since 26.6.2019 in
connection with Basnahi P.S. Case No. 64 of 2019 registered for
the offences punishable under Sections 302, 120B/34 of the
Indian Penal Code.

Earlier, petitioner filed Cr. Misc. No. 60521/2019,
which was dismissed as withdrawn vide order dated 11.12.2019
by a co-ordinate Bench of this Court. However, when this
petition was listed before the appropriate co-ordinate Bench, the
said Bench *vide* order dated 2.12.2020 observed that this
petition be not treated as a tied up matter and, accordingly, this



petition has been listed before me.

Petitioner is named in the first information report but there is only allegation of conspiracy against him. The first information report reflects that the assailants were other co-accused. Petitioner does have antecedents of two cases out of them, one case was lodged by the informant of the present case . Moreover, the petitioner is in jail custody since long and investigation against him has already been completed.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on provisional bail till the removal of the defects on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Saharsa in connection with S.T. No. 46 of 2020 arising out of Basnahi P.S. Case No. 64 of 2019.

It is made clear that if the defects, as pointed out by the office, are removed within the above stated period, the provisional bail of the petitioner shall be deemed to be confirmed.

(Hemant Kumar Srivastava, J)

Spd/-

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