

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35535 of 2020

Arising Out of PS. Case No.-114 Year-2020 Thana- KATORIYA District- Banka

Basant Yadav S/o Late Lakhan Yadav Resident of Village Surangi, Police
Station Katoria, District Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr.S.M.Rahman

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-12-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

The petitioner seeks bail in Katoriya P.S. Case No.
114 of 2020, registered for the offence under Section 307 &
other allied sections of the Indian Penal Code.

As per the prosecution case, on 04-06-2020, while this
petitioner was erecting a hut on the land of informant, he was
objected by the informant and thereafter, it is alleged that
petitioner alongwith other accused persons, as named in the FIR
armed with various deadly weapons, brutally assaulted the
brother of the informant, on account of which, brother of the
informant died during treatment.

It is submitted on behalf of petitioner that petitioner
has been falsely implicated in this case due to land dispute.
There is no specific allegation of assault against this petitioner.



Specific allegation of assault is against co-accused Ashok Yadav, Niraj Yadav and Sandip Yadav. Petitioner has got no criminal antecedent, as stated in paragraph – 3 of the petition and he is in custody since 12-02-2020. 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 learned Chief Judicial Magistrate/concerned court, Banka in connection with Katoriya P.S. Case No. 114 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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