

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35640 of 2020

Arising Out of PS. Case No.-29 Year-2020 Thana- BANDHUWA KURAWA District- Banka

1. Mirtunjay Yadav @ Mritunjay Yadav Son Of Mahesh Yadav Resident Of Village-Khangar, Police Station-Bandhua Kurawa, District-Banka.
2. Chhabu Yadav Son Of Mahesh Yadav Resident Of Village-Khangar, Police Station-Bandhua Kurawa, District-Banka.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Praveen Kumar, Advocate
For the Opposite Party : Mr. Akhileshwar Dayal A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-12-2020 Heard learned counsel for the petitioners and the State through Video Conferencing.

Petitioners seek bail in a case registered for the offence punishable under section 302 and other ancillary sections of the Indian Penal Code.

As per the FIR, this petitioner along with other co-accused came at the house of the informant on 8.5.2020 having lathi and pistol in their hands and threatened the informant with dire consequences.

It is submitted on behalf of the petitioners that petitioners are not alleged to be assailant or persons who came on place of occurrence on 11.5.2020. Those petitioners are alleged to have given threat only. Charge sheet has also been filed. Petitioners have got clean antecedent and are in custody since 1.7.2020.



In the facts of the case, prayer for bail of the petitioners is allowed. Let the petitioners, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Banka in Bandhua Kuraba Police Station Case No. 29/2020, on the following conditions:-

(1) Petitioners shall co-operate 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper 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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