

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66966 of 2019

Arising Out of PS. Case No.-40 Year-2019 Thana- AKBARPUR District- Nawada

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Anjay Yadav @ Ajay Yadav, Son of Mauji Yadav @ Karu Yadav, Resident of
Village - Nandlal Bigha, P.S.- Akbarpur, Dist.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Ashraf Ansari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 31-01-2020 Heard Learned Counsel for the parties.

Petitioner is an accused in a case registered for the offence punishable under Sections 302, 201/34 of the Indian Penal Code.

Prosecution case is that on 09.02.2019, the informant Sobha Devi who is the wife of the deceased gave her farbeyan that her husband went out from the house carrying food for operator and when her husband was returning then this petitioner called her husband by calling on his mobile phone. In the night mobile phone of her husband found switched off and in the morning she went before operator and found her husband was not there. At that time there was rumor that one dead-body was lying towards east of Nandlal. She went there and saw her husband lying sustaining serious injury of sharp weapon and his both hand found to be cut with blade.

It is submitted on behalf of the petitioner that informant is not eye witness of the occurrence and only on suspicion he was falsely implicated in this case. Petitioner is in custody since 12.02.2019. Petitioner has no criminal antecedent.



Charge sheet has already been submitted in the case and there is no allegation of tempering with the evidence.

In view of the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, be released on bail on furnishing the bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M.-I, Nawada in Akbarpur P.S. Case No. 40 of 2019, on the following conditions:-

(1) Petitioner 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 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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