

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12310 of 2021**

Arising Out of PS. Case No.-59 Year-2020 Thana- BUNIYAD GANJ District- Gaya

RAKESH YADAV @ BINDU YADAV S/O RAM DYAL YADAV @
RAMDAYAL KUMAR R/O VILLAGE-KUKIYASIN, P.S.-
BUNIYADGANJ, DISTRICT-GAYA, BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma
For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-06-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of bail in a case initially,
registered for the offence punishable under sections 279 and
304A of the Indian Penal Code and subsequently, sections 379
and 411 IPC were also added.

As per prosecution case, on 27.04.2020 at about 1.00
am, this petitioner came to the house of the informant by
driving the tractor and took the husband of the informant
(deceased). In the morning, she came to know that the said
tractor was over-turned near the bank of Falgu river and her
husband died due to accident.

During course of investigation, it came to light that the
tractor driven by the petitioner was stolen one for which



Nawada (Mufassil) P.S. Case no. 27/2020 was lodged.

It is submitted on behalf of the petitioner that the tractor was purchased from one Rajo Singh of village Yodhapur on payment of Rs 4 lakh 50 thousand and the said tractor was not stolen tractor. It is further submitted that it is a case of accidental death and petitioner had no such motive or intention. Petitioner is in custody since 02.09.2020. Investigation is complete.

Considering the facts and circumstances and period of custody of the petitioner, this bail application is allowed. Let the 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 the Addl. Chief Judicial Magistrate, VIII, Gaya in Buniadganj P.S. Case no. 59/2020 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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)

s.hassan/-

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