

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.13561 of 2021**

Arising Out of PS. Case No.-50 Year-2011 Thana- PALI District- Jehanabad

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SAMUNDAR YADAV Son of Late Kameshwar Yadav Resident of Village -
Golakpur, Police Station - Pali, District -Jehanabad.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

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

For the Opposite Party/s : Ms.Rina Sinha,APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 08-09-2021 Learned counsel for the petitioner undertakes to

remove all the defects pointed out by the Stamp Reporter within

four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Ms. Rina
Sinha, learned APP for the State.

The petitioner in the present case is seeking regular
bail in connection with Pali P.S. Case No. 50 of 2011 registered
for the offences punishable under Sections 147, 148, 149, 341,
323, 324, 307, 448, 594 and 302 of the Indian Penal Code and
Section 27 of the Arms Act. He is in custody since 22.07.2020.
The petitioner has got two criminal antecedents and in both the
cases he is on bail as per statements made in paragraph ‘3’ of the
petition.

Learned counsel for the petitioner submits that in this

case the First Informant Report has been lodged by the daughter-in-law of the deceased. Altogether 15 persons are named in the FIR but this petitioner is not named. The informant has specifically alleged that Deorajit Yadav and Lalbabu Yadav had shot dead the father-in-law of the informant.

Learned counsel submits that so far as this petitioner is concerned, he has been falsely implicated in this case which may appear from the fact that only at a belated stage his name has been brought in connection with this case. When he was in custody in connection with other two cases of the same police station in which he is on bail, the I.O. did not seek any remand of this petitioner in connection with this case.

Learned APP for the State has though opposed the prayer for regular bail of the petitioner but considering the facts and circumstances of the case and the materials placed before this Court as noticed hereinabove, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-IV, Jehanabad in connection with Pali P.S. Case No. 50 of 2011 subject to the conditions as laid down under Section 437(3) Cr.P.C.

And further condition that the court below shall verify

the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

And further condition that during pendency of the trial, the petitioner shall put his appearance on each and every date fixed in the matter, if he fails to appear on two consecutive dates in course of trial, the learned trial court shall take appropriate steps towards cancellation of bail of the petitioner.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.