

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11209 of 2021

Arising Out of PS. Case No.-335 Year-2019 Thana- JHAJHA District- Jamui

=====

VIJAY YADAV S/O LATE KALI YADAV R/O VILLAGE-BELATAR, P.S-
JHAJHA, DISTRICT-JAMUI.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/

=====

Appearance :

For the Petitioner/s : Mr.Umesh Prasad, Advocate

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 08-07-2021

. In view of sudden resurgence of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioner and the learned APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Jhajha PS Case No. 335 of 2019 registered under Sections 147, 148, 149, 447, 302 and 201 of the IPC.

Son of the informant has been killed by all the accused persons.

It is submitted by learned Counsel for the petitioner that the petitioner has no criminal antecedent and has falsely been implicated in this case. In fact the uncle of the deceased and his family members were musclemen of the area and under some dispute with someone else the killing has taken place. Specific allegation of cutting the throat is against other co-accused. Against the petitioner there is allegation that he was carrying fire arm and at best member of the unlawful assembly. Similarly situated co-accused Sajjan Yadav



has been allowed bail in Cr. Misc. No. 10896 of 2020. The petitioner is in custody since 23.6.2020.

Learned APP has opposed the prayer for bail. He submits that the petitioner being member of the unlawful assembly cannot escape his criminal liability.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named 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 SDJM Jamui in Jhajha PS Case No. 335 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

SNkumar/-

U		T	
---	--	---	--

