

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15392 of 2021

Arising Out of PS. Case No.-423 Year-2019 Thana- FATUA District- Patna

CHANDRADEO YADAV @ CHUTAHWA @ CHUTAHABA @
CHATALWA Son of Brij Gope @ Brinjandan Rai @ Vrijnandan Rai
Resident of Village- Maksudpur, P.S.- Fatuha, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar Singh
For the Opposite Party/s : Mr.Mukesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 31-08-2021 This matter is taken up for consideration through
Video Conferencing.

Heard both parties.

The petitioner seeks bail in Fatuha P.S. Case No. 423
of 2019, registered for the offence punishable under Sections
307 and other allied sections of the Indian Penal Code and
section 27 of the Arms Act. Later on, section 302 IPC was
added.

Earlier prayer for bail of the petitioner was rejected
vide order dated 30.06.2020 with observation that I am not
inclined to enlarge the petitioner on bail at this stage.

It is submitted on behalf of the petitioner that charge
has already been framed and one witness has already been
examined on behalf of prosecution. Petitioner is in custody
since 16.07.2019 having clean antecedent.



However, counsel for the informant vehemently opposed the bail application and submitted that petitioner is the assailant of deceased.

Considering the period of custody and progress of trial, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate Vth, Patna City in connection with Fatuha P.S. Case No. 423 of 2019, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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