

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 14795 of 2021

Arising Out of PS. Case No.-796 Year-2019 Thana- JAKKANPUR District- Patna

=====

SURAJ KUMAR @ BHURA YADAV Son of Ghosh Rai R/o - Shivaji Nagar
Chandpur Bela, P.S. - Jakanpur, Disttt. - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr Amresh Kumar Sinha, Advocate
For the Informant	:	Mr Abhay Kumar Singh, Advocate
For the State	:	Mr Akshay Lal Pandit, APP

=====

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 26-08-2021 This case has been taken up for consideration today
through Video Conferencing.

Heard learned counsel for the petitioner; learned
counsel for the informant and learned Additional Public
Prosecutor (for brevity, *APP*) appearing for the State of Bihar.

The petitioner seeks bail in Jakkanpur Police
Station (for brevity, *PS*) Case No 796 of 2019 instituted for the
offence punishable under Section 302 of Indian Penal Code (for
brevity, *IPC*), Sections 15 (1-B) a, 26, 27 of Arms Act and later
on added with Section 396 of IPC.

It is the prosecution case that father of the informant
was shot dead by three unknown assailants at his shop.
Petitioner's implication is on basis of statement of co-accused,



who has been arrested, based on alleged identification in Closed-Circuit Television.

It is submitted by the petitioner's counsel that petitioner is in custody since 07.09.2020. Similarly situated co-accused Bittu @ Bittu Paswan has been allowed bail by this Court in Cr Misc No 1781 of 2021. Till, date, the petitioner has not been put on Test Identification Parade. He is accused in one more case, namely, Jakkanpur PS Case No 237 of 2018.

Learned counsel for the informant and the learned APP for the State have opposed the prayer for bail. It is submitted that petitioner's complicity has come in the course of investigation.

Considering the aforesaid submissions and custody of the petitioner, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail, in the instant case, is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate I, Patna in Jakkanpur PS Case No 796 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.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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

