

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.16221 of 2021**

Arising Out of PS. Case No.-27 Year-2020 Thana- JALE District- Darbhanga

1. BIMLESH KUMAR YADAV S/O SURESH YADAV RESIDENTS OF VILLAGE MUKHIYAPATTI NAGAR PALIKA P.S AND DISTRICT DHANUSHA NEPAL
2. SATISH KUMAR SINGH S/O SIKANDAR SINGH RESIDENTS OF VILLAGE KORHIYA P.S JAYNAGAR DISTRICT MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha, Adv.
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 30-06-2021 Learned counsel for the petitioners undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

Petitioners in the present case are seeking regular bail in connection with Jale P.S. Case No.27/2020 registered for the offences punishable under Sections 342 and 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Learned counsel submits that the names of the petitioners



have transpired in the confessional statement of the co-accused namely Ashok Kumar and the said Ashok Kumar has been granted bail by the learned court below in B.P. No.243/2020. Learned counsel further submits that the other two co-accused namely Abhishek Kumar Singh and Vijay Kumar Sahu have been granted by learned coordinate Benches of this Court in Cr.Misc.No.66/2021 and Cr.Misc.No.4229/2021 respectively. It is submitted that the petitioners are in custody in connection with this case since 08.07.2020.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioners.

Having regard to the facts and circumstances of the case wherein the name of the petitioners have transpired in the confessional statement of the co-accused namely Ashok Kumar, the said Ashok Kumar has been granted bail by the learned court below in B.P. No.243/2020, the other two co-accused namely Abhishek Kumar Singh and Vijay Kumar Sahu have been granted by learned coordinate Benches of this Court in Cr.Misc.No.66/2021 and Cr.Misc.No.4229/2021 respectively, the petitioners are in custody in connection with this case since 08.07.2020, investigation against them is complete, but the trial is not likely to be concluded in near future, in the cases stated in



paragraph '3' the prayer for bail of the petitioners is said to be pending in this Court, in the circumstances in so far as the present case is concerned, this Court directs that the petitioners above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, Darbhanga in connection with Jale P.S. Case No.27 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their



criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

(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'.

