

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.16302 of 2021**

Arising Out of PS. Case No.-113 Year-2020 Thana- MUNGER MUFFASIL District- Munger

CHANDAN YADAV S/O SHIV YADAV R/o village- Taufir (T.V.) Centre,
P.S.- Mufassil, District- Munger

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Kumar Sinha, Adv.

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

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

2 30-06-2021 Learned counsel for the petitioner 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 petitioner and learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Mufassil P.S. Case No.113/2020 registered for the offences punishable under Sections 341, 323, 307, 302, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that in the First Information Report the specific allegation of causing assault is against the co-accused Kundan Kumar and there is a case and counter case between the parties. Learned counsel



submits that the fatal injury has been specifically attributed to the co-accused Kundan Kumar and another co-accused Shiv Yadav has been granted bail by a learned coordinate Bench of this Court vide order dated 24.03.2021 passed in Cr.Misc.No.1153/2021. It is submitted that the petitioner has otherwise no criminal antecedent and has remained in jail in connection with the present case since 02.06.2020.

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

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that in the First Information Report the specific allegation of causing assault is against the co-accused Kundan Kumar, there is a case and counter case between the parties, the fatal injury has been specifically attributed to the co-accused Kundan Kumar, the another co-accused Shiv Yadav has been granted bail by a learned coordinate Bench of this Court vide order dated 24.03.2021 passed in Cr.Misc.No.1153/2021, the petitioner has otherwise no criminal antecedent and has remained in jail in connection with the present case since 02.06.2020, investigation against him is complete but the trial is not likely to be concluded in near future, this Court directs that



the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger in connection with Mufassil P.S. Case No.113/2020, 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 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.

(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'.

