

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.16147 of 2021**

Arising Out of PS. Case No.-699 Year-2019 Thana- JAMUI District- Jamui

=====

TULSI YADAV Son of Narayan Yadav Resident of Village - Chhathudhanma,
P.S.- Jamui, Distt.- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Vipin Kumar, Adv.
For the Opposite Party/s : Mr.Satyendra Prasad, APP
For the Informant : Mr. Narsingh Tanti, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 25-06-2021 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 Jamui P.S. Case No.699/2019 registered for the
offences punishable under Sections 147, 148, 149, 302 and
120(B) of the Indian Penal Code and Section 27 of the Arms
Act.

The prosecution story in brief is that on 31.12.2019 at
about 4.00 pm in the evening, co-accused Parmanand Mandal
and Alok Sao took the informant's father from his house. About



5.00 pm in the evening, on the hearing of sound of firing, when the informant and his family members went near the house of Kantu Mandal, he saw that Panchanad Yadav, Mani Yadav, Paras Yadav, Tulsi Yadav (petitioner) having katta in their hands and Sudhir Yadav, Kantu Mandal, Bittu Kumar caught the father of the informant and killed him.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case due to village politics. Learned counsel submits that there is no eye witness to the alleged occurrence. He further submits that similarly situated co-accused have been granted bail by learned coordinate Benches of this Court in Cr.Misc.No.29836/2020 and in Cr.Misc.No.9730/2021.

It is submitted that the petitioner has otherwise no criminal antecedent and has remained in jail in connection with this case since 10.06.2020.

Learned APP for the State accepts that the case of the petitioner is similarly situated with the co-accused who have been granted bail by learned coordinate Benches of this Court.

Having regard to the facts and circumstances of the case wherein on going through the records this Court has noticed the submissions of learned counsel for the petitioner that



there is no eye witness to the alleged occurrence, the petitioner has been named in the First Information Report as the informant's father was an accused in the murder case of brother of the petitioner, the co-accused similarly situated and against whom there was allegation that he had taken away the father of the informant have been granted bail by learned coordinate Benches of this Court in Cr.Misc.No.29836/2020 and in Cr.Misc.No.9730/2021, the petitioner has otherwise no criminal antecedent and has remained in jail in connection with this case since 10.06.2020, investigation against him is complete but the trial is not likely to be concluded in near future, let 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, Jamui in connection with Jamui P.S. Case No.699/2019, 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)

arvind/-

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

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'.

