

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16882 of 2021

Arising Out of PS. Case No.-459 Year-2020 Thana- MADHEPURA District- Madhepura

Navin Yadav S/O Upendra Yadav R/O Village- Jiwachhpur, Ward No. 6, P.S.-
Madhepura, District- Madhepura

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad, Advocate

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-07-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 302/ 34 and other ancillary sections of the Indian Penal Code.

As per the prosecution case, this petitioner along with seven other accused persons named in the FIR are alleged to have conspired together and committed murder of father of the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has been implicated in this case only on suspicion. There is no substantive evidence to suggest the implication of this petitioner in the present case. Informant is not the eye witness of the occurrence. Similarly situated co-accused have already been allowed bail by co-ordinate bench of this Court vide order dated 5.2.2021, passed in Cr.Misc.No.



37801/2020, Petitioner has claimed clean antecedent and he is in custody since 13.7.2020.

Considering the facts and circumstances of the case and the period of custody of the petitioner, let the petitioner, mentioned above, 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 Chief Judicial Magistrate, Madhepura in Madhepura Police Station Case No. 459/2020 on the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

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