

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20884 of 2021

Arising Out of PS. Case No.-126 Year-2019 Thana- PASRAHA District- Khagaria

1. BIJALI YADAV SON OF MAHENDRA YADAV RESIDENT OF VILLAGE- YADUBANS NAGAR POLICE STATION PARWATTA (BHARATKHAND O.P.), DISTRICT- KHAGARIA
2. KANBUCHCHA YADAV @ ANOJ YADAV SON OF MAHENDRA YADAV RESIDENT OF VILLAGE- YADUBANS NAGAR POLICE STATION PARWATTA (BHARATKHAND O.P.), DISTRICT KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Siddhartha Kumar Singh

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 15-09-2021 Heard learned counsel for the petitioners and the State.

Petitioners seek regular bail in a case registered for the offence punishable under Section 364/34 of the Indian Penal Code.

Prayer of these petitioners for bail was earlier rejected by this court vide order dated 08.07.2020 passed in Cr. Misc. No. 18740/2020.

Learned counsel appearing for the petitioners submits that out of seven suspected persons, who were named by the informant in her restatement, three persons, namely, Ganga Yadav, Sonu Yadav and Pritam Yadav have already been granted



anticipatory bail by a co-ordinate Bench of this court vide order dated 28.08.2020 passed in Cr. Misc. No. 14020 of 2020 and vide order dated 22.09.2020 passed in Cr. Misc. No. 20570 of 2020. Subsequently, two other co-accused, namely, Pankaj Yadav and Pawan Yadav have also been granted anticipatory bail by a coordinate Bench of this court vide order dated 29.01.2021 passed in Cr. Misc. No. 30027/2020. Petitioner No.1 is in custody since 07.01.2020 and petitioner No.2 is in custody since 16.01.2020 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioners and the fact that similarly situated co-accused have already been granted anticipatory bail, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Deepak Kumar, Judicial Magistrate, 1st class, Khagaria in connection with Pasraha PS case No. 126/2019 on the following conditions:-

(1) Petitioners 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 petitioners tamper 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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