

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21545 of 2021

Arising Out of PS. Case No.-14 Year-2019 Thana- HASPURA District- Aurangabad

Bjendra Yadav, Son Of Late Ram Swaroop Yadav R/O Village- Gahana
Hardayal Bigha, P.S.- Haspura, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar, Advocate.

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 28-07-2021 Let the defects be removed within four weeks of the
start of the physical Court.

Heard the parties in virtual Court.

The petitioner is languishing in custody for the
offence punishable under Section 302/120B of the Indian Penal
Code and Section 27 of the Arms Act.

Petitioner is one of the assailants of the deceased. He
is in custody since 18.03.2019.

In the past, prayer for bail to the petitioner was
refused on 27.09.2019 vide order at page-11. The learned trial
Judge was directed to expedite the trial.

Learned counsel for the petitioner submits that only
purpose of detention of an under trial prisoner is to ensure that
prosecution witnesses are not tampered and the accused is
cooperative in the trial. Petitioner is ready to cooperate with the



trial. There is no material to suggest that he is going to tamper with the evidence. Similarly situated co-accused namely Sanjit Kumar Yadav has already been allowed bail vide order at Annexure-3.

Considering the Submission aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with S. Tr. No. 325 of 2019/Tr. No. 182 of 2019 arising out of Haspura P.S. Case No. 14 of 2019, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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