

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21869 of 2021**

Arising Out of PS. Case No.-75 Year-2020 Thana- GANGTA District- Munger

VIJAY YADAV Son of Late Ramdeo Yadav Resident of Village - Dariyapur,
P.S.- Gangta, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhoy Kumar Sinha
For the Opposite Party/s : Mrs. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 31-08-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 302 and some other ancillary Sections of the Indian Penal Code.

As per the prosecution case, this petitioner is alleged to have assaulted the informant with Lathi on his head.

Learned counsel appearing for the petitioner submits that petitioner is not the assailant of the deceased. Both the parties are agnates and due to land dispute some altercation taken place. As per allegation, co-accused, Shashikant Yadav and Gopal Yadav assaulted the deceased with iron rod. Petitioner claims clean antecedent and is in custody since 15.07.2020 and charge sheet has already been submitted in this case.



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

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, 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 Chief Judicial Magistrate, Munger in connection with Gangata PS case No. 75/2020 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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