

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27424 of 2021

Arising Out of PS. Case No.-401 Year-2020 Thana- JAMUI District- Jamui

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PRAKASH YADAV S/O ARHUN YADAV R/o village- Bukar (Gidha), P.S.-
Jamui, District- Jamui

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dipak Kumar

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

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 08-12-2021 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

Petitioner who is in custody since 02.10.2020 seeks
regular bail in connection with Jamui P.S. Case No. 401 of 2020
registered for offences punishable under Sections 147, 148, 149,
341, 342, 323, 324, 325, 363, 364, 307, 302, 120B, 201, 506,
153A and 395A of the Indian Penal Code.

Story of the prosecution is that on the basis of
statement of the informant, FIR was lodged against 25 named
accused persons including the petitioner herein and 20 to 25
unknown persons who came at the place of informant armed
with lethal weapon. It is further alleged that Pinki Devi and Indu
Kumari ordered armed accused persons to kill the informant on
which Sunil Rawat, Vijay Rawat, Mahesh Yadav and Prakash



Yadav started to assault Ibran. Other accused persons also assaulted. Subsequently, the dead body of Ibran was found which was beheaded and then it was confirmed that the beheaded body was of Ibran Khan.

Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in this case due to dirty village politics. He further submits that some of the accused who assaulted Ibran and are named in the FIR namely, Vijay Rawat and Sunil Rawat have already been released on bail vide order dated 30.07.2021 passed in Cr. Misc. 27141 of 2021. He further submits that petitioner is in custody since 02.10.2020 and he has clean criminal antecedent.

Learned A.P.P. appearing on behalf of the State submits that there is direct allegation against the petitioner and independent witness has also identified the petitioner as such petitioner does not deserve to be released on bail.

Considering the facts and circumstances of the case and there being no independent witness to the alleged incidence as well as investigation against him is completed, this court directs to release the petitioner on bail upon furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) 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. 401 of 2020 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

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

(Purnendu Singh, J)

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