

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32557 of 2021

Arising Out of PS. Case No.-87 Year-2019 Thana- GURUA District- Gaya

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MUKESH KUMAR @ MUKESH YADAV SON OF MUNARIK YADAV @
MUNDRIKA YADAV R/O VILLAGE- BIKHAN BIGHA, P.S.- KONCH,
DISTRICT- GAYA.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rama Kant Singh, Advocate

For the Opposite Party/s : Mr.Kalyan Shankar, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 01-11-2021 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in a case
registered for the offences punishable under Sections
302/120(B)/34 of the Indian Penal Code.

Informant has alleged in his written complaint that on
14.05.2019 at about 7:00 PM his brother Umesh Yadav had
gone to attend a marriage ceremony, FIR named accused
including petitioner fired upon his brother, as a result of which
his brother died on the spot.

It has been submitted on behalf of the petitioner
that he is innocent and has been falsely implicated in this case
only on the basis of being a cousin brother of one of the co-

accused Arvind Kumar Yadav who had business relations with said person. Informant is not an eye witness. There is no specific allegation against petitioner. It has been further submitted that similarly placed co-accused, namely, Arvind Kumar Yadav has been granted bail by a co-ordinate Bench of this Court vide order dated 11.01.2021 passed in Cr. Misc. No. 31470 of 2020. Petitioner has no criminal antecedent and is in custody since 15.01.2021.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sherghati, District- Gaya, in connection with Gurua P.S. Case No. 87 of 2019, subject to conditions that:-

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

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on

two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers 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.

(S. Kumar, J)

Rajiv/veena-

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