

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27312 of 2021**

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

BHUNESHWAR YADAV Son of Talebar Yadav Resident of Village Gidha
Bukar, P.S. - Jamui, District - Jamui.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Prasad

For the Opposite Party/s : Mr.Mukeshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

2 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 13.01.2021 seeks regular bail in connection with Jamui P.S. Case No. 401 of 2020 registered for offences punishable under Sections 302, 120B, 201, 506, 153A and 295 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 found that the beheaded body was of Ibran Khan.

Learned counsel appearing on behalf of the petitioner submits that the allegations as levelled in the FIR are false and concocted. He is not named among the accused persons who has assaulted Ibran. He further submits that petitioner is in custody since 13.01.2021 and investigation in the case has concluded. He further submits that on similar footing two other co-accused Subhash Rawat and Ranjeet Rawat have been enlarged on bail vide order dated 15.03.2021 passed in Cr. Misc. No. 2451 of 2021 and order dated 27.08.2021 passed in Cr. Misc. No. 17431 of 2021 respectively.

Learned A.P.P., however, opposes the prayer for bail.

Having heard learned counsel for the parties, taking into consideration the submission made on behalf of the petitioner and there being no direct allegation of assault as well as nothing has come in the diary, 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 C.J.M, Ist 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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