

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27601 of 2021

Arising Out of PS. Case No.-39 Year-2016 Thana- BELCHHI District- Patna

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Balram Yadav S/O Bindeshwar Yadav R/O Village-Jalalpur, Police Station-
Belchhi And District-Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 30-11-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Belchhi P.S. Case No. 39 of 2016 instituted for the offences
under Sections 302 and 34 of the Indian Penal Code read with
Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 26.06.2020 and charge-sheet has
been submitted in the case.

Learned counsel for the petitioner submits that from
bare perusal of the allegation as alleged in the F.I.R. it would
manifest that the informant has levelled general and omnibus
allegation of assault by *lathi* against the petitioner and others
and none of the injuries are on the vital part of the body. The



cause of death is respiratory failure.

Learned counsel for the petitioner submits that co-accused Vinay Mahto has been granted bail by order dated 17.03.2017 in Cr. Misc. No. 54764 of 2016 and the petitioner is similarly situated.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner and submits that the petitioner has got four criminal antecedents as mentioned in paragraph '3' of the bail application.

Considering the fact that the petitioner is in custody since 26.06.2020 and charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Barh, Patna in connection with Belchhi P.S. Case No. 39 of 2016 subject to the condition as laid down under Section 437 (3) Cr.P.C. with a condition that the petitioner will have to mark his attendance in the concerned police station on 15th of every month commencing from December, 2021 till the charges are not framed and in the event it is reported to the learned court below that the petitioner has not marked his attendance on any



of the 15th of any of the month, the court below shall be at liberty to cancel his bail bonds.

(Satyavrat Verma, J)

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