

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28766 of 2021**

Arising Out of PS. Case No.-174 Year-2020 Thana- AMARPUR District- Banka

Uday Yadav S/O Jayram Yadav R/O Village-Mahadeopur (PURAN Chak),
P.S Amarpur, District- Banka

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pramod Mishra
For the Informant	:	Mr. Aditya Nath Pandey
For the Opposite Party/s	:	Ms. Indu Kumari Srivastava

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

3 27-09-2021 This matter is taken up for consideration through
Video Conferencing.

Heard both parties.

The petitioner seeks bail in Amarpur P.S. Case No.
174 of 2020, registered for the offence punishable under
Sections 120(B), 302/34 of the Indian Penal Code.

As per the prosecution case, one Parmanand Thakur
along with other accused persons killed the brother of
informant.

It is submitted on behalf of the petitioner that
petitioner is not named in the FIR. During course of
investigation, name of this petitioner has come in this case only
on suspicion. No incriminating article has been recovered from



possession of this petitioner. Only evidence that has come during course of investigation, that one Sentu Kumari in her statement has stated that this petitioner was also involved in the aforesaid occurrence. Similarly situated co-accused has been granted bail by this Hon'ble Court vide order dated 13.10.2020 passed in Cr. Misc. No. 26696 of 2020. Petitioner is in custody since 20.11.2020. Investigation is complete.

Counsel for the informant however, vehemently opposed the prayer for bail and submitted that ample evidence has come during course of investigation which goes to suggest that this petitioner was also involved in the commission of the murder of informant's brother.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Amarpur P.S. Case No. 174 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates



without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

vinita/-

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