

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31730 of 2021

Arising Out of PS. Case No.-74 Year-2020 Thana- JAMALPUR District- Munger

1. SURAJ YADAV @ SURAJ KUMAR S/O LATE SANTU YADAV R/o village- Singhia English, P.S.- Naya Ramnagar, District- Munger
2. RAJA YADAV @ RAJU YADAV S/O LATE SANTU YADAV R/o village- Singhia English, P.S.- Naya Ramnagar, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-08-2021 Heard learned counsel for the petitioners and the State.

Petitioners seek regular bail in a case registered for the offence punishable under Section 363, 364, 302 and some other ancillary Sections of the Indian Penal Code.

As per the prosecution case, son of informant had gone out from the house on 05.07.2020 with three wheeled vehicle (Toto) but he did not return till night, search was made subsequently and his dead body was recovered.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. Petitioners are not named in the FIR. The name of



petitioners came in this case during the course of investigation in the confessional statement of co-accused, Vishal Kumar and Sudhanshu Kumar. It is submitted that co-accused Sudhanshu Kumar has already been granted bail by this court vide order dated 10.03.2021 passed in Cr. Misc. No. 35999/ 2020. Petitioners No.1 and No.2 are in custody since 25.08.2020 and 31.08.2020, respectively and charge sheet has already been submitted in this case and, hence, no prejudiced would be caused to the prosecution, in case the petitioners are granted bail.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioners, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Munger in connection with Jamalpur PS case No. 74/2020 on the following conditions:-

(1) Petitioners 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



on his/ her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

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