

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31828 of 2021**

Arising Out of PS. Case No.-327 Year-2019 Thana- SAHEBPUR KAMAL District-
Begusarai

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RAJEEV YADAV Son of Arjun Yadav Resident of Village - Raghunathpur,
P.S.- Sahebpur Kamal, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Binod Kumar
For the Opposite Party/s :	Mr. Gauri Shanker Gupta, APP
	M/s. Ashok Kumar & Tarkeshwar Pd. Verma

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

2 27-08-2021 Heard learned counsel for the petitioner, the State and
the informant.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 363, 365 of the Indian
Penal Code.

As per the prosecution case, the victim, Pawan Yadav,
left home after informing his wife that he was going to Jalkar.
The informant suspects that petitioner along with other FIR
named accused persons called Pawan Yadav and took him away
from his home.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. There is undue delay in lodging the FIR as the occurrence



took place on 13.10.2019 but the FIR was lodged on 03.11.2019, that is, 20 days after the occurrence and there is no explanation for such delay. Petitioner has been made accused only on suspicion. Similarly situated co-accused, Hitler Yadav, has already been granted bail by a co-ordinate Bench of this court vide order dated 05.03.2021 passed in Cr. Misc. No. 36907/2020. Petitioner is in custody since 28.12.2020 and charge sheet has already been submitted in this case.

Learned counsel appearing for the State and the informant opposed the prayer for bail and submitted that the victim is still traceless.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, 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, Begusarai in connection with Sahebpur Kamal PS case No. 327/2019 on the following conditions:-

(1) 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 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 petitioner tampers 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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