

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.31847 of 2021

Arising Out of PS. Case No.-99 Year-2020 Thana- SALAKHUA District- Saharsa

AWDHESH YADAV Son of Late Ramji Yadav Resident of Village -
Khuresan, P.S. - Salkhua, District - Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

Petitioner seeks regular bail in a case registered for the offence punishable under Section 302 and some other ancillary Sections of the Indian Penal Code and u/s 27 of Arms Act.

As per the prosecution case, on the order of this petitioner, co-accused Mritunjay Yadav shot the husband of informant who succumbed to the bullet injury on the spot.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. Petitioner is not the assailant of the deceased and is alleged to be order giver. Petitioner is in custody since



06.01.2021 and charge sheet has already been submitted in this case.

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

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, Saharsa in connection with SalkhuaPS case No. 99/2020 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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