

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35418 of 2021

Arising Out of PS. Case No.-21 Year-2019 Thana- GOVINDPUR District- Nawada

VIVEK YADAV, age about 20 years, Gender-Male, son of Late Mithilesh Yadav, resident of Village - Sughri, Maharajganj, P.S.- Govindpur, District - Nawada.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Senior Advocate Mr. Bhaskar Shankar, Advocate
For the State	:	Mr. Ajit Kumar, APP
For the Informant	:	Mr. Rakesh Kumar Shrivastava, Advocate

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 08-09-2021 This matter has been taken up for hearing online because of COVID-19 pandemic restrictions.

Heard learned counsel for the parties.

This application for regular bail arises out of Govindpur P.S. Case No. 21 of 2019 (Sessions Trial No.22 of 2021), registered for the offence punishable under Section 302 of the Indian Penal Code, under Section 27 of the Arms Act and under Sections 15, 16, 18 and 20 of the U.A.P. Act.

The petitioner's prayer for regular bail was earlier rejected by an order dated 30.06.2020 passed in Criminal Miscellaneous No.16128 of 2020.

Learned Senior counsel appearing on behalf of the



petitioner has referred to two orders of this Court dated 18.12.2019 passed in Criminal Miscellaneous No.57135 of 2019 and 29.02.2020 passed in Criminal Miscellaneous No.12047 of 2020 whereby other co-accused persons have been allowed regular bail. He has submitted that as in case of other two co-accused persons the petitioner has also been implicated on the basis of his confessional statement. He has further submitted that the petitioner is in custody 18.09.2019 and till date only two prosecution witnesses have been examined.

Learned counsel for the informant has opposed the prayer for bail and has submitted that one co-accused namely, Rohit Yadav has been refused prayer for regular bail by an order dated 07.12.2020 passed in Criminal Miscellaneous No.20555 of 2020.

Be that at it may, considering that other co-accused persons have been allowed bail and the petitioner is in custody since 18.09.2019, this application is allowed. Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Additional Sessions Judge-VII, Nawada, in Govindpur P.S. Case No. 21 of 2019 (Sessions Trial No.22 of 2021).



This is subject to the condition that the petitioner shall present himself before the Police / Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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