

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34953 of 2021

Arising Out of PS. Case No.-244 Year-2019 Thana- MADANPUR District- Aurangabad

JITENDRA YADAV Son of Suresh Yadav @ Suresh Singh Resident of
Village - Karan, Pach Pokhari, P.S. - Badhaila, District - Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Pandey, Advocate

For the Opposite Party/s : Mr.SK Tiwary, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-09-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in Madanpur P.S. Case No. 244 of 2019 registered for the offence under Sections 302, 34, 120B of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, while the informant's brother was sitting on the brick kiln, three unknown miscreants came there and started talking to him. Meanwhile, two of them fired on him and fled away. Victim was taken to the hospital where he died.

It is submitted on behalf of petitioner that petitioner has falsely been implicated in this case. Only on confessional statement of co-accused Ajit Yadav, petitioner has been made accused. Co-accused Ajit Yadav has already been allowed bail by this Court vide order passed in Criminal Misc.No. 14324 of 2020. There is no substantive evidence to suggest the implication of this petitioner in the present case.



Petitioner is in custody since 2.2.2021.

Considering the facts and circumstances of the case, let the petitioner, mentioned above, 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 Chief Judicial Magistrate, Aurangabad in Madanpur Police Station Case No. 244 of 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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