

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34560 of 2021

Arising Out of PS. Case No.-325 Year-2020 Thana- BIHIA District- Bhojpur

RAM SUNDAR YADAV Son of Late Ram Sevak Yadav Resident of Village -
Phulai, P.O. - Mahuaon, P.S. - Bihia, District - Bhojpur at Ara, Pin Code -
802183 (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhen Sarkar, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 07-12-2021 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Bihiya P.S. Case No. 325 of 2020 registered for the offence under Sections 302/34 of the Indian Penal Code.

The petitioner along with two others are said to have assaulted the informant including his father causing injury to his father and he died during course of treatment.

Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, is



innocent and has falsely been implicated in this case. In fact, no such occurrence as alleged in F.I.R. has taken place rather the deceased sustained deadly injury while he was connecting wire to the transformer. So far as allegation of assault against the petitioner is concerned, it is very much clean from the F.I.R. itself that neither the petitioner has used any deadly weapon to assault him nor he was intentional for the alleged occurrence. Charge sheet has been submitted against the petitioner in this case. The petitioner is rotting in judicial custody since 11.10.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned A.C.J.M.-V, Bhojpur at Ara in connection with Bihiya P.S. Case No. 325 of 2020 with 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 canceled 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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