

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38325 of 2021

Arising Out of PS. Case No.-127 Year-2020 Thana- JAGDISHPUR District- Bhojpur

BINOD YADAV @ BINOD SINGH Son of Late Ram Ishwar Yadav Resident
of Village- Barki Hardiya, P.S.- Jagdishpur, District- Bhojpur.

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-12-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Jagdishpur P.S. Case No. 127 of 2020 corresponding to Sessions Trial No. 10 of 2021 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 504, 307, 302 of the IPC.

The father of the informant is said to have been assaulted at the hands of the accused persons including the petitioner. The informant has also been assaulted as a result of which he has sustained injuries on his head. The father of the informant having sustained injuries died.

Learned counsel for the petitioner submits that



petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. It is further submitted that it appears from the FIR itself that specific allegation is against co-accused Ravi Kumar Yadav and Bijendra Kumar Yadav. It is further submitted that petitioner has not committed any offence as alleged in the FIR. It is further submitted that co-accused, namely, Pramod Yadav, Jitendra Yadav and Praveen Kumar Yadav have been granted privilege of anticipatory bail by a co-ordinate Bench of this court vide order dated 26.03.2021 passed in Cr. Misc. No. 35975 of 2020. Petitioner is in custody since 07.02.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as period of custody, 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 the learned Additional Sessions Judge-XV, Bhojpur at Ara in connection with Jagdishpur P.S. Case No. 127 of 2020 corresponding to Sessions Trial No. 10 of 2021, subject to 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 absence on two consecutive dates without sufficient reason, his 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.

3. 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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