

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45585 of 2021**

Arising Out of PS. Case No.-380 Year-2021 Thana- ARA NAGAR District- Bhojpur

=====

DHANLAL YADAV S/o Ramswarth Yadav R/o Village- Ibrahim Nagar, P.S.-
Ara Town, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajendra Nath Sinha, Adv.

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

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-12-2021 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 Ara Town P.S. Case No. 380 of 2021 registered for the offence under Sections 302/34 of the Indian Penal Code.

The informant alleged that Viram Yadav and Chotu Yadave opened fire upon his son resutantly he died on the spot.

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,



the specific allegation of firing is attributed to Viram Yadav and Chhotu Yadav as a result of which son of the informant died on the spot. Name of this petitioner has nowhere whispered in the entire F.I.R. and mere on the basis of call detail, which is at paragraph-26 of the case diary, this petitioner has been made accused in this case during course of investigation. Save and except that, no cogent material has come against the petitioner during course of investigation. The petitioner is rotting in judicial custody since 01.06.2021.

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., Ara, Bhojpur in connection with Ara Town P.S. Case No. 380 of 2021 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)

braj/-

U		T	
---	--	---	--

