

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47832 of 2021

Arising Out of PS. Case No.-205 Year-2020 Thana- SHERGHATI District- Gaya

Vijay Yadav S/O Nanak Yadav (now Late Nanak Yadav) R/o village- Sherpur,
P.S.- Sherghati, District- Gaya

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Lalan Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-12-2021 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 Sherghati P.S. Case No. 205 of 2020 registered for the offences punishable under Sections 147, 148, 149, 341, 324, 307, 302, 504, 506 of the Indian Penal Code.

According to prosecution case, petitioner has falsely been implicated in this case merely with a view to previous grudge and land dispute.

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 F.I.R. itself that no specific allegation against the petitioner and the specific allegation against the co-accused namely Niranjan Yadav. Learned counsel further submits that co-accused Dilip Kumar and other have been granted bail by a co-ordinate Bench of this court vide order dated 26.11.2020 passed in Cr. Misc. No. 28992 of 2020 and 26.03.2021 passed in Cr. Misc. No. 5034 of 2021. Petitioner is in custody since 26.03.2021.

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 Chief Judicial Magistrate, Sherghati, Gaya in connection with Sherghati P.S. Case No. 205 of 2020, 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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