

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50784 of 2021

Arising Out of PS. Case No.-81 Year-2020 Thana- SAUR BAZAR District- Saharsa

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1. Ratan Yadav Son of Late Madhukar Yadav Resident of Village- Sahuria Purvi, Ward No. 15, P.S.- Sour Bazar, District- Saharsa.
 2. Dev Narayan Yadav Son of Ramjee Yadav Resident of Village- Sahuria Purvi, Ward No. 15, P.S.- Sour Bazar, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha

For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 06-10-2021 Heard learned counsel for the parties.

Earlier, the bail petition of petitioner was rejected, vide order dated 12.01.2021 passed in Cr.Misc. No. 29994 of 2020.

It is submitted on behalf of the petitioners that similarly situated co-accused persons, who were also alleged to have assaulted the deceased alongwith these petitioners, have already been granted bail by a coordinate Bench of this Court, vide order dated 10.03.2021 passed in Cr.Misc. No. 31036 of 2020. Parity warrants that these petitioners should also be released on bail, who are in custody since 18.02.2020.



Considering the period of custody and the fact that other similarly situated co-accused persons have already been granted bail, the bail petition of petitioners is allowed. Let the above named petitioners be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Sour Bazar P.S. Case No. 81 of 2020, on the following conditions:

“(1) Petitioners shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on their absence on two consecutive dates without sufficient reason, their bail-bond shall be cancelled by the court below.

(2) If the petitioners tamper 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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