

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39738 of 2020

Arising Out of PS. Case No.-43 Year-2020 Thana- BANGAWON District- Saharsa

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SANJEEV KUMAR YADAV, Son of RAMESHWAR YADAV, Resident of
Village - Dumrail, Ward No.33, P.S.- and Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Jitendra Kr. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 10-03-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 302, 120(B), 34 of the Indian
Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner along with other
accused persons is said to have killed the husband of the
informant with conspiracy.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. The petitioner is not named in the FIR and on the basis of
confessional statement of co-accused namely Gajendra Yadav,
the petitioner has been made accused in this case. He further
submits that there is no allegation of overt act against the



petitioner. The petitioner is languishing in judicial custody since 04.08.2020. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail petition. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner.

Learned APP for the State opposes the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Bangaon P.S. Case No. 43/2020 to the satisfaction of learned court below where the case is pending; subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court



concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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