

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2548 of 2021

Arising Out of PS. Case No.-60 Year-2020 Thana- GWALPARA District- Madhepura

SURESH YADAV Son of Shri Lakshmeshwar Yadav Resident of Village-
Rampuriya Vasa, Rajpur Sarsandi, P.S.-Gwalpara, District-Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 16-03-2021

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 302, 120(B), 34 of the Indian Penal Code.

Informant is widow of deceased who in her written complaint has alleged that on 08.05.2020, her deceased husband went from home to collect money and thereafter, he did not return and his mobile phone was also found to be switched off. It is further alleged that on the next day, his dead body was recovered. Informant has further alleged that on 08.05.2020, FIR named accused including the petitioner has killed her husband.

It is submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case on account



of village rivalry and suspicion and except suspicion, there is no any other incriminating material against him. Police also found case not be true against petitioner and submitted final form against him, however, differing with the finding of the investigating officer, Trial Court has taken cognizance against the petitioner.

Petitioner has no criminal antecedent and he is in custody since 11.05.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Gwalpara P.S. Case No. 60 of 2020 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the



evidence or the witnesses of the case, in that case,
prosecution will be at liberty to move for cancellation of
bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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