

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4888 of 2021

Arising Out of PS. Case No.-466 Year-2018 Thana- BARARI District- Katihar

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PRADEEP YADAV Son of Bhairo Yadav Resident of Village-Bakharpur, P.S.-
Pirpanti, District-Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhay Kumar Singh

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-03-2021 Heard both parties.

The petitioner seeks bail in Barari (Semapur) P.S.
Case No. 466 of 2018, registered for the offence punishable
under Section 302/34 of the Indian Penal Code and section 27 of
the Arms Act.

As per the prosecution case, on 07.12.2018 the FIR
named accused persons along with 04 unknown persons took
away the son of informant and killed him. Later on, the dead
body of informant's son was recovered from *Diara*.

It is submitted on behalf of the petitioner that
petitioner is not named in the FIR. During course of
investigation, in para 52 of case diary it has come that petitioner
is member of Mohan Thakur gang. Similarly situated co-
accused has been granted bail by this Court vide order dated



06.01.2021 passed in Cr. Misc. No. 35095 of 2020. Petitioner is in custody since 18.09.2020. Chargesheet has already been submitted.

Considering the period of custody and chargesheet has been submitted, the petitioner above-named, is directed to be enlarged 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 V, Katihar in connection with Barari (Semapur) P.S. Case No. 466 of 2018, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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