

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4257 of 2021

Arising Out of PS. Case No.-93 Year-2019 Thana- SONO District- Jamui

Sonu Yadav @ Surjit Kumar @ Surjeet Kumar Yadav Son of Sri Dineshwar Yadav @ Dineshwar Kumar Yadav Resident of Village - Bhithalpur, Tola Zakhua, P.S. + District -Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prakash Mahto, Adv.

For the Opposite Party/s : Mr. Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4. 26-03-2021 Earlier, the bail application of petitioner was rejected by this Court, vide order dated 11.12.2019 passed in Cr.Misc. No. 69248 of 2019, with liberty to the petitioner to file a fresh petition after a period of six months (Annexure – 1 to the present petition) and accordingly, the present bail application has been filed on behalf of petitioner.

It is submitted on behalf of petitioner that as per F.I.R., one country-made pistol loaded with one live cartridge has been recovered from the possession of petitioner, but in fact nothing has been recovered from possession of this petitioner and he has been falsely implicated in this case. It is further submitted that two similarly situated co-accused have already been granted bail by this Court, vide order dated 02.07.2020 passed in Cr.Misc. No. 17213 of 2020 (Prawin Yadav) and order



dated 17.10.2019 passed in Cr.Misc. No. 64205 of 2019 (Mantu Yadav). Petitioner is in custody since 29.03.2019.

Considering the aforesaid facts & circumstances and period of custody, the bail application of petitioner is allowed. Let the above named petitioner 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 learned A.C.J.M. 1st, Jamui in connection with Sono P.S. Case No. 93 of 2019, on the following conditions:

“(1) Petitioner 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 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.”

(Prabhat Kumar Singh, J.)

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