

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4184 of 2021

Arising Out of PS. Case No.-236 Year-2018 Thana- BIHARSHARIF District- Nalanda

RAMBARATH YADAV @ RAMBARAN YADAV SON OF RAMESHWAR
YADAV RESIDENT OF VILLAGE BASWAN BIGHA, P.S-
BIHARSHARIF, DISTRICT-NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 17.09.2020 in connection with Bihar P.S. Case No. 236/2018 registered for the offences punishable under Sections 147/148/149/323/448/384/302/120(B) of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, when the informant and his son came out of the house on hearing sound of firing then all the FIR named accused persons demanded ransom from the son of the informant and on refusal, committed murder of the son of the informant.

It is submitted on behalf of the petitioner that the



specific allegation firing is against co-accused Lal Bahadur Yadav. It is further submitted that doctor has also found simple fire-arms injury on the person of the deceased. It is next submitted that similarly situated co-accused person has already been granted bail by this Court vide order dated 25.08.2018 passed in Cr. Misc. No. 51774/2018. Chargesheet has already been submitted in this case. Petitioner has got no criminal antecedent and he is in custody since 17.09.2020.

Considering the aforesaid facts and circumstances and that no overt act has been alleged against the petitioner, coupled with the fact that petitioner has got clean antecedent and also because chargesheet has already been submitted in this case, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif, in connection with Bihar P.S. Case No. 236/2018, subject to following conditions:-

- (1) 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 on his absence on two consecutive dates



without sufficient reason, his bail-bonds shall be cancelled by the Court below.

(2) If the petitioner tempers 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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