

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4877 of 2021

Arising Out of PS. Case No.-15 Year-2019 Thana- BHADHWAR District- Gaya

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1. Pravesh Yadav @ Ram Pravesh Yadav aged about 35 years Son Of Somar Yadav Resident Of Village- Harhi, P.S.- Bhadwar, District- Gaya.
 2. Rambriksh Yadav aged about 30 years Son Of Somar Yadav Resident Of Village- Harhi, P.S.- Bhadwar, District- Gaya.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-03-2021 Heard learned counsel for the petitioners and the State.

Petitioners seek bail in a case registered for the offence punishable under sections 302/120B and other ancillary sections of the Indian Penal Code.

As per the prosecution case, when the informant was returning from the market along with her father, all the FIR named accused persons including the petitioners took her father towards Hari Hill and later on he was found murdered. It is alleged that some of the accused persons had threatened to kill father of the informant few days prior to the occurrence.

Learned counsel for the petitioners submits that There



is general and omnibus allegation against the petitioners and no specific overt act has been alleged against them. There is no eye witness to the occurrence and similarly situated co-accused persons Somar Yadav and Madan Yadav have already been allowed regular bail by a co-ordinate bench of this Court vide order dated 24.2.2021, passed in Cr.Misc.No. 620/2021. Petitioners have got clean antecedent as stated in paragraph 3 of the bail petition. Petitioners are in custody since 5.9.2020. Charge sheet has already been submitted.

Considering the facts and circumstances of the case and the fact that there is general and omnibus allegation against the petitioners and similarly situated co-accused have already been allowed bail by a co-ordinate bench of this Court, let the petitioners, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of I/C Judicial Magistrate 1st class, Sherghatti, Gaya in Bhadwar Police Station Case No. 15 of 2019 on the following conditions:-

(1) Petitioners 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 on their absence on two consecutive dates without sufficient



reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper 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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