

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5804 of 2021

Arising Out of PS. Case No.-26 Year-2020 Thana- SUIYA District- Banka

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KAILASH YADAV Son of Bindeshwari Yadav @ Bonga Yadav Resident of
Village- Bora, P.S.- Suiya, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 15-04-2021 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.

The prosecution story, in brief, is that FIR named
accused including the petitioner in a planned way surrounded
the son of the informant and killed him.

It has been submitted on behalf of the petitioner that
he is innocent and has falsely been implicated in this case due to
dirty village politics. There is no specific allegation against the
petitioner rather the specific allegation of assault is against



Kailash Rout, who is alleged to have fired upon the deceased, as a result of which, he succumbed to injuries. Similarly placed co-accused Ramesh Roy has already been granted bail by a co-ordinate Bench of this Court, as contained in Annexure 2. Petitioner has no criminal antecedent and he is in custody since 08.07.2020.

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 Suiya P.S. Case No. 26/2020 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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