

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8582 of 2021

Arising Out of PS. Case No.-542 Year-2018 Thana- KHAGARIA District- Khagaria

SURESH YADAV, Son of Kiro Yadav, Resident of Village - Belahi
(Morkahi), P.S. - Alauli, District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 24-06-2021 Let the defects be removed within a period of four weeks.

The matter has been taken up through virtual Court proceeding.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation of firing is against co-accused Rajesh Yadav and Pappu Yadav. The petitioner was one of the members of the mob. Co-accused Rajesh Yadav has already been allowed bail by a Coordinate Bench of this Court vide order dated 22.07.2019 passed in Cr. Misc. No. 34490 of 2019 (Annexure-3). In the past, prayer of the petitioner was refused only for the



reason that the petitioner was carrying criminal antecedent.

In my view, in the aforesaid circumstance, there is no need for further detention of the petitioner as under trial prisoner in absence of any substantive material of commission of any overt act by the petitioner, hence, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Khagaria Police Station Case No. 542 of 2018 corresponding to G.R. No. 2223 of 2018, subject to the following conditions:-

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of territorial jurisdiction of the learned court below.

(c) The petitioner shall not leave the country without permission of the learned trial court.

(Birendra Kumar, J)

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