

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9790 of 2021

Arising Out of PS. Case No.-317 Year-2019 Thana- SHERGHATI District- Gaya

Surendra Yadav @ Raghu Yadav aged about 36 years (Male) Son of Late Kuleshwar Yadav Resident Of Village- Sonhathu, P.S.- Gurua, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad

For the Opposite Party/s : Mr.M.K.Khare

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 24-06-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Sherghati (Dobhi) P.S. Case No. 317 of 2019, registered for the offence under Sections 302, 201/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, on 11.07.2019 at about 7:00 PM, this petitioner alongwith other FIR named persons came to the house of the informant and took the informant's son with them. Thereafter, on the next day, the dead-body of informant's son was found near a canal.

It is submitted on behalf of petitioner that save & except suspicion, there is nothing against this petitioner. Only material, which has come against this petitioner, is that he was



last seen with the deceased. There is no eye-witness to the occurrence. Petitioner is in custody since 28.09.2020.

Learned A.P.P. for the State has opposed the bail petition.

Considering the rival submissions of the parties and the materials available on record, the bail petition 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 ACJM 1st, Sherghati, Gaya in connection with Sherghati (Dobhi) P.S. Case No. 317 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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