

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4073 of 2022

Arising Out of PS. Case No.-67 Year-2020 Thana- AANDAR District- Siwan

Akhilesh Yadav, Son Of Lalan Yadav, R/O Village- Mashudaha, P.S.- Ander,
District- Siwan, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prashant Kumar, Advocate

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 24-08-2022 Learned counsel for the petitioner is directed to
remove all the defects pointed out by the office.

Heard learned counsel for the petitioner and Mr.
Md. Fahimuddin, learned APP for the State.

This is the second attempt of the petitioner to obtain
bail in connection with Ander P.S. Case No.67 of 2020
registered for the offences punishable under Sections 304B, 34
of the Indian Penal Code. He has no criminal antecedent.

Earlier the prayer for bail of the petitioner was
rejected taking note of the fact that in the case diary there
are some witnesses including the co-villagers of the
petitioner who had supported the prosecution case.

Learned counsel for the petitioner has placed
before this Court Annexure-3 which are the deposition of



some of the co-villagers who have now not supported the prosecution case and have been declared hostile.

Although learned APP for the State has opposed the prayer for bail of the petitioner but considering that the petitioner has remained in custody since 06.09.2020 and at this stage the co-villagers who have deposed as P.W.-1, P.W.-2 and P.W.-3 (Annexure-4 series) have not supported the case of the prosecution, this Court directs release of the petitioner above named on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned A.D.J.-V, Siwan in connection with Sessions Trial No.269/2021 arising out of Ander P.S. Case No.67 of 2020, subject to the conditions as laid down under Section 437(3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned



order shall not be delayed for purpose of or in the name of verification.

The certified copy of the order will be made available only after the defects are removed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

