

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8673 of 2022

Arising Out of PS. Case No.-67 Year-2020 Thana- BIHARIGANJ District- Madhepura

BENI YADAV Son of Sri Bindo Yadav Resident of Village- Rajganj, Ward
No.11, P.S.- Bihariganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Singh

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 23-03-2022 Heard learned counsel for the parties.

Earlier, the bail petition of petitioner was rejected, vide order dated 21.06.2021 passed in Cr.Misc. No. 4952 of 2021 (Annexure - 1).

The petitioner has renewed his prayer for bail only on the ground that similarly situated co-accused namely Subhash Sah and Ram Narayan Sah, who were also implicated by the informant in his re-statement, have been granted bail by this Court, vide order dated 21.01.2022 passed in Cr.Misc. No. 32295 of 2021 (Annexure – 3) and petitioner is in custody since 15.05.2020.

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

Considering the period of custody and the fact that similarly situated co-accused persons have already been granted



bail, 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 Judicial Magistrate 1st Class, Udakishunganj, Madhepura / concerned court in connection with Bihariganj P.S. Case No. 67 of 2020 with 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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