

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8574 of 2022

Arising Out of PS. Case No.-298 Year-2021 Thana- NAWANAGAR District- Buxar

Tej Narayan Yadav Son of Biraj Yadav @ Lawat Yadav R/o Village-
Ramnagar tola, P.S.- Nawanagar, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohit Shriwastava, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, A.P.P

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 27-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner seeks bail in connection with a case
registered for the offence punishable under Sections 302 and
120(B) of the Indian Penal Code.

The prosecution case, in short, is that the informant
stated in the F.I.R that his son used to do business of poultry
farm and Fish farm at Ramnagar Bal and on 03.08.2021 at
around 11 O'clock in the night, seven persons including the
petitioner took the informant's son to the pond of the petitioner.
The informant saw that a white colored Safari whose
Registration No. is BR-01PB-5901 and one motorcycle bearing



Registration No. BR-03Y-6959 was parked near the informant's house and all these persons including the petitioner took Suresh Kumar (deceased) to the pond of Tej Narayan Yadav. When the informant went to the said pond on 04.08.2021 at around 5 O'clock in the morning, he saw that his son Suresh Kumar (deceased) @ Sonu is lying dead thereafter, he informed the police station and police came and postmortem of the deceased was conducted on 05.08.2021.

Learned counsel for the petitioner submits that petitioner is a Choukidar and respectful person of the village for that he is falsely implicated in this case. It is further submitted that white Safari Car bearing registration No. BR-01PB 5901 and a motorcycle bearing registration No. BR-03Y-6959 is not related to the petitioner. Further, it is submitted that there is no eye-witness in this case and no incriminating articles have been recovered from the possession of the petitioner. The petitioner is in custody since 09.12.2021, charge-sheet has been submitted in the case and has antecedent of three cases.

Learned A.P.P. for the State opposes the prayer for regular bail of the petitioner.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on



furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Nawanagar (Sonbarsa) P.S. Case No. 298 of 2021 / G.R. No. 1864/21, subject to the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

(3) 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.

(Khatim Reza, J)

Gaurav Kumar/-

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