

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13905 of 2022

Arising Out of PS. Case No.-51 Year-2021 Thana- PASRAHA District- Khagaria

1. Bipin Yadav S/O Late Ramdeo Yadav Resident Of Village- Piparpanti, P.S.- Pasraha, District- Khagaria
2. Pappu Yadav S/O Late Opan Yadav Resident Of Village- Piparpanti, P.S.- Pasraha, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 12-10-2022

Heard learned counsel for the petitioners 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 petitioners seek bail in connection with a case registered for the offences punishable under Sections 302/34 and 120B of the Indian Penal Code.

As per the prosecution case, informant alleged that on 06.04.2021, informant saw that Pappu Singh, Ajit Singh and eight unknown persons fleeing away from his *basa* and on suspicion, he went there and saw that his son, namely, Nitin Kumar (deceased) was hanging by rope. Thereafter, the informant lodged F.I.R. against Pappu Singh, Ajit Singh and



eight unknown persons including the petitioners.

Learned Counsel for the petitioners submit that the petitioners are innocent and have falsely been implicated in this case. It is submitted that the petitioners are not named in the F.I.R. and they have been implicated in this case only on the basis of suspicion. Learned counsel for the petitioners submit that there is specific allegation against Pappu Singh and Ajit Singh. Further, it is submitted that the petitioners live in the same village of the informant and during the course of the investigation, no substantive evidence has come against the petitioners to connect with the present case. Further, it is submitted that the petitioners are in custody since 24.12.2021, charge-sheet has been submitted in the case and petitioner no. 1 has antecedent of four cases whereas, the petitioner no. 2 has clean antecedent.

Learned A.P.P for the State opposes the prayer for 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 A.C.J.M. IV, Khagaria in connection with Pasraha P.S.



Case No. 51 of 2021, 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. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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)

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