

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19132 of 2022

Arising Out of PS. Case No.-110 Year-2021 Thana- RAJPUR District- Buxar

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Dinesh Yadav Son of Lalan Yadav Resident of Village- Kisunipur, P.S.-
Rajpur, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ratna Deep Prasad

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 08-08-2022 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Rajpur
P.S. Case No. 110/2021 registered for the offences punishable
under Sections 147, 148, 149, 341, 323, 324, 307 and 302 of the
Indian Penal Code.

As per prosecution case, the petitioner and others are
alleged to have assaulted the father of the informant with rod,
lathi etc. causing his death.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. Postmortem indicates that only one injury and there is



allegation of assault to the deceased against six accused persons including the petitioner. The petitioner is languishing in custody since 21.09.2021 and bears criminal antecedent of one case in which he is on bail. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence. Co-accused, Jai Shankar Yadav and Ramesh Yadav as well as Guddu Yadav have already been granted bail by the co-ordinate Bench of this Court vide Cr. Misc. No.61339/2021 and Cr. Misc. No.1772/2022 respectively. The accusation of the present petitioner stands on similar footing.

The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, similarly situated co-accused persons have already been granted bail by the co-ordinate Bench of this court as submitted, charge sheet has already been submitted in this case and there is no likelihood of tampering with the prosecution evidence and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, Buxar in



connection with Rajpur P.S. Case No. 110/2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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