

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29835 of 2021

Arising Out of PS. Case No.-262 Year-2019 Thana- PUNPUN District- Patna

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Sant Yadav @ Sant Lal Yadav S/O Mr. Samru Yadav R/O Village Sabalpur
P.S. Punpun District Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv.
	:	Mr. Shashank Shekhar, Adv
For the Opposite Party/s	:	Ms. Pronoti Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 14-02-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State in virtual Court proceeding.

Supplementary affidavit has been filed on behalf of the petitioner.

The petitioner seeks bail in connection with Punpun P.S. Case No. 262 of 2019 registered for the offence under Sections 302, 120(B) and 34 of the Indian Penal Code.

As per the prosecution case, the son of the informant, who was having relation with a girl namely Anshu Kumari of a different religion, had gone to her village and thereafter, it is alleged that all the FIR named accused persons committed the



murder of son of the informant.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that it appears from the FIR that there is general and omnibus allegation against all the accused persons. There is no specific allegation or overt-act against the petitioner. He further submits that co-accused, namely, Ballam Yadav @ Ballav Yadav and Siwa Devi have been granted bail vide order dated 22.10.2021 in Cr. Misc. No. 16701 of 2021 and another co-accused, namely, Sanjay Kumar @ Sanju Prasad @ Sanju has been granted bail vide order dated 13.08.2021 in Cr. Misc. No.30285 of 2021 and co-accused, namely, Pappu Kumar @ Pappu Yadav has been granted bail vide order dated 28.02.2020 in Cr. Misc. No.11085 of 2020 by different Coordinate Benches of this Hon'ble Court and the petitioner is in custody since 06.12.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, 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 Chief Judicial Magistrate, Masaurhi, Patna in connection with Punpun P.S.Case No.262 of 2019 with 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 shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her 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.

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.

(Rajesh Kumar Verma, J)

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