

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30034 of 2021

Arising Out of PS. Case No.-453 Year-2020 Thana- KHAIRA District- Jamui

=====

YOGENDRA YADAV Son of Late Musho Yadav Resident of Village -
Manpur, Police station - Khaira, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sharwan Kumar, Adv.

For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-01-2022 Heard learned counsel for the petitioner and the

learned counsel for the informant as well as learned A.P.P. for

the State through video conferencing.

The petitioner seeks bail in connection with Khaira

P.S. Case No. 453 of 2020 registered for the offence under

Sections 147, 148, 149, 323, 324, 307, 302, 504 and 506 of

the Indian Penal Code.

The informant alleged that on account of land

dispute, the petitioner along with his associates have

assaulted the family members of the informant by way of

sword resultantly the grand father and her uncle succumbed

before the injuries and died.

Learned counsel appearing for the petitioner



submits that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case. In fact, there is general and omnibus allegation against the petitioner and no specific allegation of assault is attributed to him. As a matter of fact, there is land dispute between the parties, which is apparent from the F.I.R. itself, and on account of that this petitioner has falsely been implicated in this case. The petitioner is rotting in judicial custody since 16.11.2020.

Learned counsel for the informant as well as learned A.P.P. for the State has, vehemently, opposed the prayer for bail of the petitioner on the ground that there is sufficient material against the petitioner in the case diary.

Considering the facts and circumstances of the case, 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 Chief Judicial Magistrate, Jamui in connection with Khaira P.S. Case No. 453 of 2020 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 canceled 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)

brajesh/-

U		T	
---	--	---	--

