

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36195 of 2021

Arising Out of PS. Case No.-517 Year-2020 Thana- BARHARA District- Bhojpur

JIUAT YADAV Son of Udhari Yadav Resident of Babhangawan, Police
Station - Barahara (Krishnagar), District - Bhojpur at Ara.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shankar Kumar, Adv.
For the Opposite Party/s	:	Mr. Bhanu Pratap Singh, A.P.P.
For the informant	:	Ms. Mayuri, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 22-02-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Barhara (Krishnagar) P.S. Case No. 517 of 2020 registered
for the offence under Sections 365 of the Indian Penal Code.

The petitioner and others are said to have
committed murder of the uncle of the informant.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case only on the basis of suspicion. Save
and except the suspicion, no cogent material has come
against the petitioner during course of investigation. He
further submits that the the victim was a renowned criminal



and more than 8 criminal cases were pending against him. The petitioner has been implicated in this case only due to previous enmity. The police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 11.01.2021.

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 and submits that the petitioner is named in the F.I.R. and according to the F.I.R. the petitioner has actively participated in the occurrence as alleged in the F.I.R. She also submits that the petitioner carries one more case other than the present one.

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 C.J.M.-Bhojpur at Ara in connection with Barhara (Krishnagar) P.S. Case No. 517 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)

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