

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36138 of 2021

Arising Out of PS. Case No.-5 Year-2020 Thana- SUPAUL District- Supaul

Satish Kumar Yadav @ Sachin Yadav @ Satish Kumar Son of Bhuwan Yadav
Resident of Village - Tulsiyahi, P.S. - Marauna, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Advocate
For the Opposite Party/s : Mr. Navin Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 21-02-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Supaul P.S. Case No. 05 of 2020 arising out of Complaint Case No. 866C of 2019 registered for the offences punishable under Sections 366(A), 364, 120(B) of the Indian Penal Code.

According to prosecution case, the informant has filed a case against the petitioner accused bearing Supaul Mahila P.S. Case No. 106 of 2018 in which the charge sheet has already been submitted. The petitioner accused side tried to pressurize the informant for compromise and for the purpose with conspiracy the petitioner accused kidnapped his daughter for



purpose of murder.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence and he has falsely been implicated in the present case. He further submits that it appears from the F.I.R. that the date of occurrence took place on 06.09.2019 but the present Complaint Case No. 866C/2019 was filed on 20.09.2019 i.e. after delay of 14 days without any explanation. He further submits that it has come in the case diary that the victim has been married by the informant (grand mother namely Maya Devi) with someone else. He further submits that the police after investigation submitted the charge sheet against the petitioner and other co-accused have been granted bail by the court below itself. The petitioner is in custody since 15.12.2020.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail but fairly submits that petitioner carries one criminal antecedent.

Considering the aforesaid facts and circumstances, 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 the learned Chief Judicial Magistrate, Supaul in connection with Supaul P.S. Case



No. 05 of 2020 (arising out of Complaint Case No. 866 C/2019),
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 shall remain physically present as directed 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. 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.

3. 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)

mdrashid/-

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

