

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37325 of 2021

Arising Out of PS. Case No.-12 Year-2021 Thana- SIMRI District- Darbhanga

ANIL YADAV @ GOPI YADAV SON OF RAM KISHOR YADAV Resident
of Village- Simri Ram Chela, P.S.- Simri, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate
		Mr. Vinay Kumar Mishra, Adv.
For the Opposite Party/s	:	Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 24-02-2022 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 Simri P.S. Case No. 12 of 2021 registered for the offences punishable under Sections 341, 323, 324, 307, 120B and 302 of the IPC and 27 of the Arms Act.

During a Panchayati, out of several persons, one fired causing injury at the abdomen of the informant as a result whereof he died.

Learned counsel for the petitioner submits that



petitioner is not named in the FIR and he has falsely been implicated in the present case only on the basis of suspicion. He further submits that during investigation petitioner confessed that on the request of co-accused Baban Yadav, he had taken the deceased for treatment to D.M.C.H., Darbhanga. He further submits that during investigation nothing has come against the petitioner and petitioner is in custody since 08.01.2021.

The learned Additional Public Prosecutor opposed the prayer of bail submitting 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 Additional Chief Judicial Magistrate-IV, Darbhanga in connection with Simri P.S. Case No. 12 of 2021, 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)

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