

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34330 of 2022

Arising Out of PS. Case No.-18 Year-2006 Thana- PIPRASI District- West Champaran

Chuman Yadav S/o Late Indradeo Yadav R/o village- Baghwa Tar, P.S.-
Dhanaha, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1, Adv.

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-09-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Sessions Trial No. 443 of 2014, arising out of Piprasi P.S. Case
No. 18 of 2006 lodged under Sections 302/34 of the I.P.C. read
with Section 27 of the Arms Act.

As per the prosecution case, the F.I.R. has been filed
against Rudal Yadav and its 10-12 associates causing death of
the brother of the informant as well as one Jagdish Yadav,
brother of Om Prakash whose dead body was found near the
Gandak River.

Learned counsel for the petitioner submits that

petitioner is accused in series of cases that is more than 50 but he surrendered in response to the rehabilitation scheme of the State Government which is evident from Annexure-2 dated 23.09.2013. It is stated that the involvement of the petitioner is by virtue of associate with the co-accused Rudal Yadav as well as his antecedent except that for the suspicious circumstances, there is nothing on record to connect him with the crime. Learned counsel for the State submits that it is correct to state by the petitioner that he has surrendered which is clear from the record of the case. Learned counsel for the petitioner further submits that 2 similarly situated persons have been granted bail in the said case by the Co-ordinate Bench of this Court vide order dated 29.01.2016 passed in Cr. Misc. No. 58207 of 2015 and vide order dated 11.03.2014 passed in Cr. Misc No. 52309 of 2013 respectively.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Additional Sessions Judge, Bagaha, West Champarann in connection with Sessions Trial

No. 443 of 2014, arising out of Piprasi P.S. Case No. 18 of 2014, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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