

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49886 of 2021

Arising Out of PS. Case No.-26 Year-2020 Thana- SUIYA District- Banka

SURENDRA KUMAR @ SURENDRA YADAV Son of Vendeshwari Yadav
@ Bonga Yadav Resident of Village- Bora, P.S.- Suiya, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 18-04-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 02.06.2021, seeks
regular bail in connection with Suiya P.S. Case No. 26 of 2020
registered for offences punishable under Sections 302,
120(B)/34 of the Indian Penal Code and Section 27 of the Arms
Act.

Prosecution story in brief is that the petitioner
alongwith other co-accused persons in a planned way
surrounded the son of the informant and killed him.

Learned counsel appearing on behalf of the petitioner
submits that general and omnibus allegation has been made
against the petitioner. The other similarly situated co-accused



persons namely, Ramesh Yadav has been granted bail vide order dated 19.11.2020 passed in Cr. Misc. No. 27053 of 2020, Pramukh Yadav has been granted bail vide order dated 22.02.2021 passed in Cr. Misc. No. 34023 of 2020, Congress Rout has been granted bail vide order dated 02.03.2021 passed in Cr. Misc. No. 37378 of 2020 and Kailash Yadav has been granted bail vide order dated 15.04.2021 passed in Cr. Misc. No. 5804 of 2021. Petitioner has clean antecedent and he is in custody since 02.06.2021.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforesaid facts and circumstances of the case, nature of allegation and the period of custody undergone by the petitioner, without going into the merits of the case, the petitioner above named, is directed to be enlarged on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Banka in connection with Suiya P.S. Case No. 26 of 2020 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court



concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(Purnendu Singh, J)

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