

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51313 of 2021

Arising Out of PS. Case No.-123 Year-2019 Thana- LODIPUR District- Bhagalpur

RAVINDRA YADAV Son of Lalji Yadav Resident of Village- Khatuha, P.S.-
Lodipur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mrigank Mauli, Sr.Adv.
	:	Mr.Samir Kumar, Adv
For the Opposite Party/s	:	Mr.Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 31-03-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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

Petitioner seeks bail in a case registered for the offences punishable under Sections 302,120B of the Indian Penal Code and 27 of Arms Act.

The allegation, as per First Information Report, is that the informant, Saraswati Devi along with her husband was going to attend a marriage ceremony and on the way, they were accosted by the accused persons, namely, Rohit Yadav, Sohiti Yadav, Birendra Yadav including the petitioner, Ravindra Yadav



and they caught hold of the husband of the informant and co-accused persons, Sohith Yadav and Mohit Yadav fired upon the husband of the informant leading to his death.

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is false and motivated. The parties were on inimical term based on the last Mukhiya election. He further submits that the allegation against co-accused, Rohit Yadav and Mohit Yadav they fired upon the deceased. Further allegation against the petitioner is that he caught hold the husband of the informant and co-accused Sohith Yadav and Mohit Yadav fired upon the husband of the informant. He further submits that similarly situated co-accused, namely, Birendra Yadav has been granted bail vide order dated 26.11.2020 in Cr. Misc. No.30137 of 2020 and co-accused Sohith Yadav has been granted bail vide order dated 17.11.2021 in Cr. Misc. No. 24191 of 2021 and the allegation Rohit Yadav @Rohit Kumar who fired upon the husband of the informant, has been granted bail vide order 30.04.2021 passed in Cr. Misc. No.392 of 2021 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 17.11.2020.

Learned A.P.P. for the State has vehemently opposed



the prayer for bail of the petitioner and submits that the petitioner carries eighteen more cases other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail **after framing of the charges** on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Lodipur P.S.Case No.123 of 2019 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 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.

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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