

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52486 of 2021**

Arising Out of PS. Case No.-137 Year-2001 Thana- SONO District- Jamui

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ASHOK YADAV SON OF JAGO YADAV @ JAGDISH YADAV, R/o  
village- Rahkar, P.S.- Sono (Charka Pathar), District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.Ajay Kumar Jha

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**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.

The petitioner seeks bail in connection with S.T. NO.  
726A of 2010 arising out of Sono (Charka Pathar) P.S. Case No.  
137 of 2001 registered for the offence under Sections 302/34 of  
the IPC and also Section 27 of the Arms Act.

As per allegation in the FIR, the petitioner along with  
other accused persons assaulted and shot him dead the son of  
the informant after taking him away from his house.

Learned counsel appearing for the petitioner submits  
that the petitioner is innocent and has falsely been implicated in



this case. He further submits that it appears from the FIR that specific allegation of firing against co-accused Mahesh Yadav, Bhuneshwar Yadav and Sesho Yadav. He further submits that there is general and omnibus allegation against this petitioner. He further submits that similarly situated co-accused namely Bali Yadav has been granted privilege of regular bail vide order dated 11.08.2004 passed in Cr. Misc. No. 15278 of 2004. Petitioner is rotting in judicial custody since 26.11.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let above named, petitioner 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 learned Addl. District and Sessions Judge-IIInd, Jamui, in connection with S.T. No. 726A/2010 arising out of Sono (Charka Pathar) P.S. Case No. 137 of 2001 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 canceled 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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