

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53070 of 2021**

Arising Out of PS. Case No.-484 Year-2020 Thana- GHOSI District-
Jehanabad

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Indal Yadav Son Of Mohan Yadav R/O Village- Pakhanpur, P.S.- Ghosi,
Dist.- Jehanabad

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mrs. Kumari Sujata Sinha, Advocate
For the State : Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 05-04-2022 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 learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 323, 307, 448, 302/34
of the Indian Penal Code.

As per the prosecution case, it has been alleged that on
25.10.2021 while informant's nephew Sunil Bind was sleeping at
about 11 O'clock in the night accused petitioner along with other
co-accused armed with rifle, katta in their hands came into the
house of the informant's nephew and started firing upon him. On
hearing of sound of firing, villagers came and accused persons



fled away. During the course of fleeing they fired and injured one Bindu Bind, who died during course of treatment at P.M.C.H., Patna.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case only on the basis of suspicion. He further submits that in the F.I.R. there is general and omnibus allegation against the accused persons. He further submits that there is no eye witness of the alleged occurrence and the similarly situated co-accused namely Sitaram Yadav @ Sitaram Prasad and Manoj Yadav @ Manoj Kumar have been granted bail vide order dated 26.11.2021 in Cr. Misc. No. 50620 of 2021, another co-accused namely Naresh Yadav has been granted bail vide order dated 30.07.2021 in Cr. Misc. No. 27220 of 2021 by a Coordinate Bench of this Court and other co-accused namely karu Yadav @ Raj Kumar Yadav has been granted bail by this Court vide order dated 22.01.2022 in Cr. Misc. No. 55127 of 2021 respectively. After investigation police has submitted chargesheet against the petitioner and the petitioner is in custody since 11.06.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees 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 Ghosi P.S. Case No. 484 of 2020, 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 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 witness, 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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