

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54935 of 2021

Arising Out of PS. Case No.-18 Year-2019 Thana- JHAJHA District- Jamui

Radhey Yadav @ Radhey Shyam Yadav S/o Ayodhi Yadav R/o Village-
Magolio, P.S.- Laxmipur, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, App

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. Mr. Yogendra Kumar Singh for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 147, 148, 149, 302, 427, 120-B of the Indian Penal Code read with Section 27 Arms Act and Sections 3 and 4 of the Explosive Substances Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 01.06.2021, is a person with clean antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that informant alleges that he along with male companion went to meet a relative at Jhajha hospital where he stayed in the night, further, Rajesh, Manoj and driver Mamta were coming back by car where unknown accused persons thinking that petitioner is



in the vehicle, hurled bomb and shot Rajesh and Manoj, further alleges that Dharma paswan got the occurrence committed through the unknown accused persons.

Learned counsel for the petitioner submits that the F.I.R. was against unknown and during the course of investigation it transpired that Mamta, the driver of the informant was involved in the occurrence. Learned counsel submits that based on confessional statement of Mamta, the name of this petitioner transpired, it is further submitted that even presuming what has been alleged in the confessional statement is true then Mamta in his confessional statement has not attributed any specific role against this petitioner rather has stated that Rahul, Ramkhelawan and Karu Yadav fired killing both the deceased. It is further submitted that Mamta Yadav has been granted bail by order dated 16.05.2022 in Criminal Miscellaneous No. 59581 of 2021.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody, is a person with clean antecedent, charge-sheet has been submitted in the case and taking into consideration the submissions made by the learned counsel for the petitioner, let the petitioner above



named be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Jhajha P.S. Case No. 18 of 2019 with a condition that one of the bailors of the petitioner shall be his father Ayodhi Yadav.

Further, if the learned court below comes to a conclusion that the petitioner after his release is trying to delay the trial in any manner, then the learned court below shall forthwith cancel the bail bonds of the petitioner after recording reasons.

(Satyavrat Verma, J)

Gaurav Kumar/-

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