

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54300 of 2021

Arising Out of PS. Case No.-62 Year-2019 Thana- BARHARA KOTHI District- Purnia

Jaichand Yadav Son of Naresh Yadav Resident of Village - Pakilpar, P.s.-
Biharigunj, Distt.- Madhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 17-02-2022 Heard learned counsel for the petitioner and Shri Syed Ehteshamuddin, learned A.P.P. for the State through virtual court proceedings.

The petitioner seeks bail in connection with Sessions Trial No. 92 of 2020 arising out of Barhara (Raghubansh Nagar) P.S. Case No. 62 of 2019 instituted for the offences under Sections 302, 120(B) and 34 of the Indian Penal Code read with Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 04.11.2020 and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that allegation in the F.I.R. is that the informant alleges that eight named accused persons and 10-15 unknown persons killed the



brother of the informant who had seen the occurrence of killing of his cousin brother by the accused persons.

Learned counsel for the petitioner submits that though the petitioner is named in the F.I.R. but no overt act has been alleged against him. It is further submitted that similarly situated co-accused Vinod Yadav has been granted bail vide order dated 25.01.2021 passed in Cr. Misc. No. 35910 of 2020 and further Sintu Mehra has also been granted bail vide order dated 13.12.2021 passed in Cr. Misc. No. 33878 of 2021.

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

Considering the fact that the petitioner is in custody since 04.11.2020, charges have been framed, as submitted and similarly situated co-accused have been granted bail along with other accused persons, as detailed in the supplementary affidavit, let the petitioner above named be released on bail on furnishing bail bond of Rs. 50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Purnia in connection with Session Trial No. 92 of 2020 arising out of Barhara (Raghubansh Nagar) P.S. Case No. 62 of 2019 with a condition that one of the bailor shall be the father of the petitioner (Naresh



Yadav) and in the event if the learned court below finds that the trial is being delayed because of the conduct of the petitioner, the court below shall forthwith cancel his bail bonds.

(Satyavrat Verma, J)

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