

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55127 of 2021

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

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KARU YADAV @ RAJ KUMAR YADAV, S/o VIJAY PRASAD YADAV @
JHAKHAR YADAV, R/o VILLAGE- PAKHANPUR, P.S- GHOSI,
DISTRICT- JEHANABAD.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Ban Bihari Singh, Advocate
For the Opposite Party/s : Mr. Arun Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-01-2022 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State in virtual court

proceeding.

Let the defect(s), as pointed out by the office, be

removed within four weeks of start of normal functioning of the

physical court.

Petitioner seeks bail in connection with Ghosi P.S.

Case No. 484 of 2020 registered for the offences punishable

under Sections 448, 441, 323, 307, 302/34 of the Indian Penal

Code.

In the instant case accused persons came armed with

rifle and Katta in drunken state in the house of the nephew of

the informant and fired upon Bunda Bind, which caused injury

to him and thereafter Bunda Bind died during course of



treatment.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. It is further submitted that it would appear from the F.I.R. that there is general and omnibus allegation against all the accused persons and there is no specific allegation of overt act against the petitioner. It is further submitted that co-accused, namely, Naresh Yadav, has been granted bail by a Co-ordinate Bench of this Court vide order dated 30.07.2021 passed in Cr. Misc. No. 27220 of 2021. Petitioner is in custody since 12.07.2021.

The learned Additional Public Prosecutor opposed the prayer of bail submitting that petitioner carries one criminal antecedent.

Considering the aforesaid facts and circumstances, 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 the learned Chief Judicial Magistrate, Jehanabad in connection with Ghosi P.S. Case No. 484 of 2020 subject to 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 witnesses, 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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