

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54703 of 2021**

Arising Out of PS. Case No.-458 Year-2020 Thana- RAJAON District- Banka

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Raghu Yadav @ Raghunandan Yadav Son of Late Rashik Yadav Resident of
Village- Singhnan, P.S.- Rajoun, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar @ Deepak Sahay, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

4 09-05-2022 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 302/34 of the Indian Penal

Code.

As per prosecution case, it is alleged by the informant

namely Nand Kishore Shah that on 18.11.2020 at about 10

O'clock in the morning, the father of the informant was sitting in

his shop but at the same time one Raghu Yadav and Sanjay Yadav

came at his shop and started abusing his father and they also

started punching by legs, fists and slaps, as a result of which the



father of the informant died.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. does not corroborate the post mortem report. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 07.05.2021.

Vide order dated 06.04.2022 a report was called for with regard to the present status of the trial. The report reveals that on 24.03.2022 charge has been framed against the petitioner and till date no prosecution witness has been examined.

Learned counsel for the petitioner submits that in view of the report, there is no chance of early conclusion of the trial in near future.

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 Rajoun P.S. Case No. 458 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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