

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49078 of 2022

Arising Out of PS. Case No.-248 Year-2022 Thana- BARACHATTI District- Gaya

Guddu Yadav, aged about 25 years, Gender-Male, S/o Raj Kumar Yadav R/o
village- Dema Tola Pathra, P.S.- Mohanpur, District- Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Bhaskar Shankar, Adv.

For the State : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 09-12-2022 This matter has been taken up today for consideration
through video conferencing.

Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with *Barachatti*
(Mohanpur) PS Case No. 248 of 2022, registered for the offence
punishable under Sections 302 and 120(B) of the Indian Penal
Code.

On coming to know of the murder of one Yogender
Kumar Yadav, the informant (brother of the victim) had lodged
the case one day later alleging that 11 villagers and some other
unknown persons have killed the victim.

Learned counsel for the petitioner submits that the FIR
suggests that death is by strangulation whereas 12 persons have



been named without any motive or any basis whatsoever. FIR does not disclose any fact so as to constitute suspicion, let alone, any substantial basis for the petitioner's implication.

Petitioner is in custody since 25-03-2022. He is stated to be on bail in another case pending against him since before for the offence under the Bihar Prohibition and Excise Act

Learned APP for the State has opposed the prayer for bail. It is submitted that the petitioner is named in the FIR.

Considering the rival submissions this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned *ACJM Sherghati, Dist. Gaya*, in connection with *Barachatti (Mohanpur) P S Case No. 248 of 2022*, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the



petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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