

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49611 of 2022

Arising Out of PS. Case No.-95 Year-2020 Thana- JHAJHA District- Jamui

SHAMBHU YADAV, Son of Mahendra Yadav, Resident of Village - Amba,
P.S.- Jhajha, District - Jamui.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 13-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

The petitioner in the present case is seeking regular
bail in connection with Jhajha P.S. Case No. 95 of 2020
registered for the offences under Sections 365, 364, 302, 201
and 120-B of the Indian Penal Code.

As per the prosecution, the husband of the informant
had gone to Basmatta but he did not return.

Learned counsel for the petitioner submits that
during the course of investigation on the basis of the disclosure
by the co-accused the name of the petitioner came and he was



arrested. He further submits that other co-accused persons namely Anil Tuddu and Brij Lal Tuddu have already been granted bail by the coordinate Bench of this Court vide order dated 22.06.2021 passed in Cr. Misc. No. 5073 of 2021 as well as co-accused namely Binod Yadav and Pramod Yadav have been granted regular bail vide order dated 14.07.2021 passed in Cr. Misc. No. 38763 of 2020 and vide order dated 04.08.2022, co-accused Anil Yadav has been granted anticipatory bail in Cr. Misc. No. 8931 of 2022. He further submits that there is no material against the petitioner. Although there is two criminal antecedent of the petitioner but he is on the bail on those cases. Petitioner is in custody since 15.07.2022.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, 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 learned CJM, Jamui in connection with Jhajha P.S. Case No. 95 of 2020, subject to the following conditions:

(i). Petitioner shall cooperate in the trial and shall be physically present 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.

(ii). 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.

(iii). 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.

(Sunil Dutta Mishra, J)

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