

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62828 of 2021**

Arising Out of PS. Case No.-63 Year-2021 Thana- UDAKISHUNGANJ District- Madhepura

Sushil Kumar Yadav Son of Late Beni Prasad Yadav Resident of Village -
Lashkari, P.S.- Udakishunganj, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

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

3 10-05-2022 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 363, 364, 365, 120(B)/34 of the Indian Penal Code and later on Section 302 of the Indian Penal Code was added.

According to the F.I.R., the allegation against the petitioner is of being involved in the murder of the informant's husband in collusion with other co-accused persons.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely



implicated in the present case only on the basis of suspicion. He further submits that there is admitted land dispute between the parties and due to that land dispute the informant has falsely implicated the petitioner in the present case. He further submits that it appears from the F.I.R. that the informant has raised suspicion against several persons including the petitioner and nothing has come during investigation against the petitioner and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 10.08.2021.

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 Udakishunganj P.S. Case No. 63 of 2021, 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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