

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66501 of 2021**

Arising Out of PS. Case No.-23 Year-2020 Thana- BADHAILA District- Rohtas

HALCHAL YADAV @ SATYENDRA KUMAR Son of Late Ramdeo Yadav
@ Ramdeo Singh Resident of Village - Rotawan, P.S.- Baghaila, District -
Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. Tapeswar Sharma

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

2 22-04-2022 Heard learned counsel for the parties 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.

The petitioner is in judicial custody in connection
with Baghaila P.S. Case No. 23/2020 registered under Sections
302, 120 (B), 34 of the Indian Penal Code and Section 27 of the
Arms Act.

The FIR was lodged on 27.04.2020 stating therein that
accused persons including the petitioner herein shot at and
killed his son. Specific allegation has been levelled against
accused Vindhyachal Yadav that he fired in the back of his son



which proved fatal. The role that has been attributed to this petitioner is of order giver.

As per learned Senior counsel for the petitioner, he is in jail since 02.06.2021 (as stated in para-10) and further does not have any criminal antecedent (as stated in para-3). He has further brought to this Court's attention an order passed by a co-ordinate Bench of this Court vide Cr. Misc. No. 63251/2021 dated 06.04.2022 by which accused Ramji Yadav and Shiv Kumar Yadav @ Shri Yadav have been granted the privilege of bail.

Learned counsel for the petitioner submits that he along with other accused persons are alleged to have exhorted the said Vindhyachal Yadav on whom specific allegation is that he opened fire that resulted into the killing of the son of the informant. He further submits that he is in custody since 06.07.2021 (as stated in para-12 of the bail application).

The charge-sheet has already been submitted and the specific allegation against the Vindhyachal Yadav is of killing the son of the informant. The petitioner is in custody since 06.07.2021 and as such, this Court deems it proper to release him on bail.

Let the petitioner be released on bail on furnishing



bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each in connection with Baghaila P.S. Case No. 23/2020 to the satisfaction of Judicial Magistrate-II, Rohtas at Sasaram, subject to the following condition;

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iii) the petitioner shall desist from committing any criminal offence again, failing which the State shall take steps for cancellation of his bail bonds.

With the aforesaid observation, the bail application is allowed.

(Rajiv Roy, J)

Ranjeet/-

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