

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67341 of 2021**

Arising Out of PS. Case No.-124 Year-2020 Thana- SINGHESHWAR District- Madhepura

RAJ KUMAR YADAV Son of Late Narayan Yadav @ Jhathu Yadav Resident
of Village - Bhawanipur, Ward No. 06, Police Station - Singheshwar, District -
Madhepura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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

4 20-07-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Singheshwar P.S. Case No. 124 of 2020 for the offences
under Sections 341, 342, 323, 120B and 302/34 of the Indian
Penal Code.

Case diary and the postmortem report of the present
case was called for on 16.05.2022 which have since been
received.

As per the FIR, the informant has alleged that due to
fishing dispute while her husband was returning all the accused



persons including the petitioner herein caught hold of him and thereafter mercilessly assaulted which resulted into his death.

Learned counsel for the petitioner submits that so far as this petitioner is concerned, the police found the same to be untrue and there is general and omnibus allegation against amongst other the petitioner herein of assaulting and killing the deceased. He further submits that he has no criminal antecedent and he is in jail since 19.07.2021. He further submits that he is ready to abide by any terms and conditions imposed by this Court, if he is granted the privilege of bail.

Taking into account the fact that omnibus allegation has been made against the petitioner, he is in jail since 19.07.2021 (as stated in paragraph-13 of the bail application), charge sheet stands submitted and he has no criminal antecedent, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of Chief Judicial Magistrate, Madhepura in connection with Singheshwar P.S. Case No. 124 of 2020, subject to the following conditions:-

- (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) the petitioner shall appear on each and every date before the Trial Court and failure to do so for any date without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next one year to mark his presence;

(iv) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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