

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71578 of 2021

Arising Out of PS. Case No.-336 Year-2020 Thana- PARWALPUR District- Nalanda

Raj Kumar Yadav, Son of Vindeshwar Prasad @ Vindeshwar Yadav, Resident
of Village - Sita Bigha, P.s.- Parwalpur, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dharendra Kumar Sinha, Adv.
		Mr.Arvind Pandey, Adv.
For the Opposite Party/s :		Ms.Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 15-06-2022 Learned counsel for the petitioner undertakes to
remove all the defects pointed out by the Stamp Reporter within
four weeks after start of normal functioning of the Court.

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

The petitioner in the present case is seeking regular
bail in connection with Parwalpur P.S. Case No.336 of 2020
registered for the offences punishable under Sections 302, 201
and 34 of the Indian Penal Code and Section 27 of the Arms
Act. He is in custody since 14.08.2021. The petitioner has got
no criminal antecedent.

Learned counsel for the petitioner submits that, as per
the prosecution story, the allegation against the petitioner is of



killing the sister of the informant by hatching conspiracy with other accused persons.

Learned counsel for the petitioner submits that the petitioner is Bhaisur (elder brother of the husband of the deceased) and he has been falsely implicated in this case. Learned counsel submits that there is general and omnibus kind of allegation against this petitioner. It is submitted that the petitioner is in custody in connection with this case since 14.08.2021 having no criminal antecedent.

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

Having regard to the submission that this petitioner is Bhaisur (elder brother of the husband of the deceased), the informant has deposed in course of trial as PW-5 and he has stated that he has given the name of the accused persons on suspicion even as the sister of the informant was living happily in her sasural, the petitioner has already remained in custody since 14.08.2021 and his presence may be secured in course of trial, this Court directs release of the petitioner above named on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial



Magistrate, Hilsa, Nalanda in connection with Parwalpur P.S.
Case No.336 of 2020, subject to the conditions as laid down
under Section 437(3) Cr.P.C.

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.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

