

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70507 of 2021

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

Mukhia Yadav @ Yogendra Yadav, S/o Iswari Yadav, R/o village- Sita Bigha,
P.S.- Parwalpur, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Pandey, Adv.

For the Opposite Party/s : Ms.Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 16-06-2022 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.

Learned counsel for the petitioner is permitted to add Session Trial No.421 of 2021 in the prayer portion in course of the day.

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, 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 this petitioner is a co-villager of the husband of the deceased, the marriage between the deceased and the co-accused Sanjay Yadav was solemnized about 15 years ago and the petitioner had no role to play in their family life. Learned counsel submits that the elder brother of the husband who was also made an accused in this case has been granted bail by this Court in Cr.Misc.No. 71578 of 2021.

Learned counsel submits that the petitioner has remained in custody since 14.08.2021, investigation against him is complete and his presence may be secured in course of trial.

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

Having regard to the submission that this petitioner is a co-villager of the husband of the deceased, the marriage between the deceased and the co-accused Sanjay Yadav was solemnized about 15 years ago and the petitioner had no role to play in their family life, moreover the elder brother of the husband who was also made an accused in this case has been



granted bail by this Court in Cr.Misc.No. 71578 of 2021 and the petitioner has remained in custody since 14.08.2021, investigation against him is complete and his presence may also be secured in course of trial, therefore, 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 Session Trial No.421 of 2021, arising out of 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'.

