

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14286 of 2023

Arising Out of PS. Case No.-114 Year-2022 Thana- BHARGAMA District- Araria

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DASHRATH YADAV S/O LATE TEJ NARAYAN YADAV Resident of
Village- Raharia, P.S.-Bhargama, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-06-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
22.10.2022 in connection with Bhargama P.S. Case No. 114
of 2022, F.I.R. dated 28.05.2022 registered for the offence
punishable under Sections 302/34 of IPC.

The prosecution case, in short, is that the informant
alleged that the petitioner alongwith his accused father
Tirthanand Yadav on the alleged date 28.05.2022 have
committed murder of informant's father-in-law Tej Narayan
Yadav for having suspicion that deceased has developed illicit
relation with informant's daughter-in-law.

Learned counsel appearing for the petitioner



submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Further submits that from bare perusal of the FIR it appears that the informant is not the eye witness of the alleged occurrence and even no one is the eye witness of the alleged occurrence and the petitioner is son of the deceased and the brother-in-law of the informant. Further submits that except the suspicion, no other material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and the police has submitted the chargesheet against the petitioner and the petitioner is in custody since 22.10.2022.

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

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Araria in connection with Bhargama P.S. Case No. 114 of 2022, 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, 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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