

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16258 of 2023

Arising Out of PS. Case No.-587 Year-2022 Thana- NAUBATPUR District- Patna

=====

RANDHIR YADAV S/O LATE RAJENDRA YADAV R/O VILLAGE-
SHAHAR RAMPUR, P.S- NAUBATPUR, DISTT.- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vaishnavi Singh, Adv.

For the Opposite Party/s : Mr. Kalyan Shankar, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 04-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
05.09.2022 in connection with Naubatpur P.S. Case
No.587/2022, F.I.R. dated 03.09.2022, for the offences
punishable under Sections 341, 323, 324, 307, 302 and 34 of the
IPC.

According to prosecution case, the petitioner along
with co-accused persons namely Kabir Kumar and Sunny
Kumar assaulted the son of the informant and thereafter the co-
accused, namely, Kabir Kumar assaulted his son with knife
causing injury to him. Thereafter the injured was taken to
hospital, where the doctor declared him dead.

Learned counsel for the petitioner submits that



petitioner has falsely been implicated in the present case. He further submits that the informant is not an eyewitness of the alleged occurrence and only on the basis of suspicion he has been implicated in the present case. He further submits that it has come during investigation that the petitioner is order giver and the co-accused person, namely, Kabir Kumar has assaulted to the son of the informant by means of knife. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 05.09.2022.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner has carried one criminal antecedent other than the present one but fairly submits on the basis of para-3 of the bail petition that the petitioner is on bail in that case.

Considering the aforesaid facts and circumstances, 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 the learned A.C.J.M.-VI, Danapur, Patna in connection with Naubatpur P.S. Case No. 587/2022, subject to 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 absence on two consecutive dates without sufficient reason, his 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)

amit/-

U		T	
---	--	---	--

