

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23292 of 2023

Arising Out of PS. Case No.-467 Year-2022 Thana- BAKHTIYARPUR District- Patna

DEONANDAN YADAV @ KARU YADAV @ KARU SINGH Son of Late
Hari Yadav Resident of Village - New Bypass, Raghapur, Bakhtiyarpur, P.S.-
Bakhtiyarpur in the District of Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Bakhtiyarpur P.S. Case No. 467 of 2022 dated 20.09.2022
registered for the offence under Sections 323, 324, 341, 307,
379, 504, 506 and 34 of the Indian Penal Code.

The petitioner is said to have ordered the co-
accused Baiju Yadav to kill the brother of the informant and
accordingly, Baiju Yadav gave knife blow on the neck of
brother of the informant. Thereafter one more co-accused
assaulted the victim with knife and the petitioner is said to
have snatched Rs.1200/- from the victim.

Learned counsel appearing for the petitioner



submits that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case. He further submits that it appears from the F.I.R. itself that the petitioner happens to be order giver in this case and it is said that at the instance of the petitioner, co-cussed, Baiju Yadav and Ajay Yadav inflicted knife injury to the injured-victim. He further submits that no specific allegation of assault of any overt act is attributed to the petitioner rather the petitioner has been made accused on account of previous enmity. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 14.12.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 Additional Chief Judicial Magistrate-III, Barh in connection with Bakhtiyarpur P.S. Case No. 467 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 canceled 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.

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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