

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25832 of 2023

Arising Out of PS. Case No.-94 Year-2015 Thana- NATHNAGAR District- Bhagalpur

Umesh Yadav @ Mukko Yadav @ Mukru Yadav S/O Anil Yadav @ Anno
Yadav R/O Village- Aligunj, Upar Gangti, P.S- Babbargunj (Mojahidpur),
Distt.- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh
For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 302, 120B, 34 of the Indian
Penal Code and Section 27 of the Arms Act.

Earlier prayer for bail of the petitioner was rejected on
11.08.2021 passed in Cr. Misc. No. 18426 of 2020 with a liberty
to him to renew his prayer for bail, if the trial is not concluded
within six months.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. He submits that the trial has not been concluded upto now.
He submits that similarly situated co-accused has already been
granted bail by a coordinate Bench of this Court vide order



dated 21.02.2023 passed in Cr. Misc. No. 21348 of 2022. He further submits that the petitioner is languishing in judicial custody since 13.01.2018.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the period of custody, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with S.T. No. 543 of 2018 arising out of Nathnagar Madhusudanpur P.S. Case No. 94 of 2015, subject to the conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to who he is related with the petitioner. He will also undertake to inform the court if there is any change in the address of the petitioner.

(II) that the petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates his bail bonds shall be liable to be cancelled.

(III) that the petitioner will mark his attendance in the



local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(IV) that the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(Anjani Kumar Sharan, J)

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