

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24489 of 2023

Arising Out of PS. Case No.-500 Year-2022 Thana- RAJAON District- Banka

ASHOK YADAV SON OF LATE MAHENDRA YADAV R/O Village-
Makhanpur, P.S- Barahat, Distt.- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Adv.

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-07-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Rajoun P.S. Case No. 500 of 2022 registered for the offence
under Sections 341, 323, 365 and 34 of the Indian Penal
Code and subsequent Sections 302, 201 and 120(B) has
been added.

The son of the informant is alleged to have been
killed by the petitioner and others.

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 merely
on the basis of suspicion. He further submits that there is no



eye witness to the alleged occurrence and even the informant has not seen the alleged occurrence. He further submits that the petitioner has been implicated in the present case on the ground that the deceased was having illicit relation between daughter of the petitioner. Save and except the suspicion, no cogent material has surfaced during course of investigation suggesting the involvement of the petitioner in the alleged occurrence. 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 06.11.2022.

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 Chief Judicial Magistrate, Banka in connection with Rajoun P.S. Case No. 500 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)

brajesh/-

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

