

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34971 of 2022

Arising Out of PS. Case No.-84 Year-2020 Thana- TIKAPATTI District- Purnia

Ramswaroop Kumar Yadav @ Ravi Roshan S/o Janardan Yadav @ Jodhan
Yadav Resident of Village - Purani Nandgola, P.S.- Tikapatti, District -
Purnea.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate
For the Opposite Party/s : Mr. Dr. Ajeet Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-01-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 201, 34 of the Indian
Penal Code.

According to prosecution case, there is allegation that
the informant's daughter has been killed by her younger son-in-
law, co-accused Ram Swaroop @ Ravi Roshan along with the
petitioner and other accused persons. The prosecution case
alleges that prior to the killing, threats had been meted out.

Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that there is no eye witness of the alleged occurrence and the informant is not the eye witness of the alleged occurrence and only on the basis of suspicion the present F.I.R. has been instituted. He further submits that in fact the petitioner is the brother-in-law of the deceased and the name of the petitioner has falsely implicated only on the basis of suspicion. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Janardhan Yadav @ Jodhan Yadav has been granted bail by a co-ordinate Bench of this Court vide order dated 14.12.2021 passed in Cr. Misc. No. 37230 of 2021 and other co-accused namely, Vikas Yadav has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 17.11.2022 passed in Cr. Misc. No. 34810 of 2022. The petitioner is in custody since 31.07.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

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 Court below where the case is pending in connection with Tikapatti P.S. Case No. 84 of 2020, 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)

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