

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38319 of 2023

Arising Out of PS. Case No.-56 Year-2022 Thana- GARHI District- Jamui

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Ravindra Kumar Yadav @ Ravindra Yadav @ Rivandra Kumar @ Rajandra
Yadav son of Vidhunadeo Yadav Village- Harni Ps- Garhi Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Ratan Kumar, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-09-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner seeks bail in connection with Garhi
P.S. Case No. 56 of 2022 dated 03.11.2022 registered for the
offence under Sections 302/34 of the Indian Penal Code.

The petitioner and others are alleged to have
assaulted the sister of the informant and inflicted her gun
shot injury due to which she died during course of
treatment.

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 initially the petitioner has not been



named in the F.I.R. but his name transpired in this case in the restatement of the informant but the same is not corroborated with the medical evidence. 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 31.03.2023.

Learned A.P.P. for the State on the basis of material available on record and the case diary vehemently opposed the prayer for bail of the petitioner but fairly submits that no gun shot injury has been found on the person of the deceased and the inquest report also does not support the restatement of the victim.

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 Judicial Magistrate-1st Class, Jamui in connection with Garhi P.S. Case No. 56 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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