

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35309 of 2022

Arising Out of PS. Case No.-67 Year-2022 Thana- CHARPOKHARI District- Bhojpur

Dineshwar Singh@Dineshwar Yadav (EX- Mukhiya) Son Of Late Subdeyal
Singh R/O- Vill.- Koel, P.S.- Charpokhari, Dist.- Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 40885 of 2022

Arising Out of PS. Case No.-67 Year-2022 Thana- CHARPOKHARI District- Bhojpur

1. Krishna Yadav Son of Late Mundrika Yadav R/o Village - Koil, P.S.-
Charpokhari, District - Bhojpur, Bihar
2. Rajesh Yadav Son of Krishna Yadav R/o Village - Koil, P.S.- Charpokhari,
District - Bhojpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 35309 of 2022)

For the Petitioner/s : Mr. Bhavesh Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

(In CRIMINAL MISCELLANEOUS No. 40885 of 2022)

For the Petitioner/s : Mr. Ravindra Kumar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 01-02-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

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



According to prosecution case, the two daughters of the informant were married to two full brothers and after the marriage, the son-in-law of the informant namely, Jayram Yadav used to beat her daughter and later on, Jayram Yadav along with these petitioners shot dead the daughter of the informant and pressurizing the other daughter of the informant not to disclose the incident to anyone and threatening for dire consequences.

Learned counsel for the petitioners submits that petitioner namely, Dineshwar Singh @ Dineshwar Yadav carries three more cases other than the present one and petitioners namely, Krishna Yadav and Rajesh Yadav have clean antecedent and they have falsely been implicated in the present case. He further submits that in fact, the petitioner namely, Dineshwar Singh @ Dineshwar Yadav and petitioners namely, Krishna Yadav is the father and Rajesh Yadav is the brother of Jayram Yadav. He further submits that it appears from the F.I.R. that there is direct allegation against the co-accused person, namely, Jayram Yadav and there is general and omnibus allegation against these petitioners. He further submits that the police after investigation submitted the charge sheet against the petitioners. The petitioners are in custody since 13.04.2022.

The learned Additional Public Prosecutor has



vehemently opposed the prayer for bail of the petitioners.

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Charpokhari P.S. Case No. 67 of 2022, subject to the following conditions:-

1. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners tamper 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent,



the court below shall take step for cancellation of bail bond of the petitioners. 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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