

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42761 of 2022

Arising Out of PS. Case No.-126 Year-2022 Thana- MURLIGANJ District- Madhepura

RAJ NANDAN YADAV Son of Late Dipo Yadav Resident of village- Piprahi
(Belo), Ward no. 6, P.S- Murliganj, Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh
For the Opposite Party/s : Mr. Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 31-01-2023 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Murliganj P.S. Case No. 126 of 2022 registered for the offences
punishable under Sections 302, 120(B), 379, 201 and 34 of the
IPC.

As per prosecution case, petitioner and others are
alleged to have committed the murder of informant's brother.

Learned counsel for the petitioner submits that
petitioner is in custody since 06.06.2022 and bears no criminal
antecedent. Charge sheet has been submitted in the case and
there is no likelihood of tampering with the prosecution



evidence. He further submits that there is no cogent material available against the petitioner except petitioner is last seen with the deceased. He further submits that informant is neither eye witness nor any witness has seen the alleged occurrence. No incriminating article has been recovered from the conscious possession of the petitioner. He further submits that petitioner is quite innocent and committed no offence as alleged in the FIR.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Madhepura, Sri Kumaresh in connection with Murliganj P.S. Case No. 126 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or



mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

vashudha/-

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