

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47025 of 2022

Arising Out of PS. Case No.-51 Year-2021 Thana- BIND District- Nalanda

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VIJAY YADAV SON OF LATE LAXMI YADAV R/O VILLAGE-
NAURANGA, P.S.- BIND, DISTRICT- NALANDA (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Ramchandra Sahni, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 04-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 302, 201, 120(B)/34 of IPC.

As per the prosecution story, on 23.04.2021 the
informant got an information that the dead body of his son is
lying near a boring in village Nouranga and when he reached
there, he came to know that the co-accused Rajesh Yadav @
Rajesh Kumar in connivance with other co-accused persons
killed the son of the informant.

Learned counsel appearing for the petitioner submits
that the petitioner has clean antecedent. He has falsely been
implicated in the present case only on the basis of suspicion. He
further submits that the informant is not the eye witness of the



alleged occurrence and except the suspicion, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the alleged occurrence and the similarly situated co-accused, namely, Sanjay Yadav has been granted bail vide order dated 28.02.2022 passed in Cr. Misc. No. 66064 of 2021 and another co-accused, namely, Rajesh Yadav @ Rajesh Kumar has also been granted bail vide order dated 09.12.2022 passed in Cr. Misc. No. 47590 of 2022 by different Coordinate Benches of this Hon'ble Court and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 03.08.2021.

Considering the aforesaid fact and period of custody, 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 learned court below where the case is pending in connection with Bind P.S. Case No. 51 of 2021 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 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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