

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47188 of 2022

Arising Out of PS. Case No.-50 Year-2020 Thana- SINGHESHWAR District- Madhepura

Prashant Kumar, Son of Late Lalan Yadav, R/V- Satokhar, P.S- Singheshwar,
Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Bhaskar Shankar, Advocate
For the State	:	Mr.Binod Kumar, APP
For the Informant	:	Mr. D.P. Verma, Advocate
		Mr. Satyaveer, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 23-01-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with
Singheshwar P.S. Case No.50 of 2020 registered for the offence
punishable under Sections 302, 120B, 34 of the Indian Penal
Code.

As per the prosecution case, accused persons,
variously armed entered the house of one Sadanand Yadav and
destroyed the property. Thereafter it is stated that on 29.02.2020,
on hearing the precarious condition of one Mahanand Yadav,
when the informant and his mother were going to the hospital,
the four named accused persons, including the petitioner,
assaulted the informant and his mother, who died as a result of



assault.

Learned counsel for the petitioner submits that specific allegation of assault on the mother of the informant is against one Mishri Lal Yadav and not against the petitioner. The allegations against the petitioner are general and omnibus. He having no antecedents is in custody since 04.03.2021.

Learned APP for the informant and the learned counsel for the State have opposed the prayer for bail.

Considering the rival submissions, manner of petitioner's implication, his clean antecedents and the period of custody, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Accordingly, 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 Chief Judicial Magistrate, Madhepura. in connection with Singheshwar P.S. Case No.50 of 2020, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is



related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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