

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47594 of 2022

Arising Out of PS. Case No.-649 Year-2021 Thana- JAHANABAD District- Jehanabad

RABINDRA YADAV @ RAVINDRA YADAV Son of Nageshwar Yadav
Resident of Village - Kali nagar, Horliganj Court Area, P.s.- Town
(Jehanabad), Distt.- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal, Advocate.

For the Opposite Party/s : Mr. Md. Matloob Rab, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 08-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 326, 120(B) of the
Indian Penal Code and Section 27 of the Arms Act.

According to prosecution case, on 15.10.2021 at about
6.00 P.M. while the informant was at his house with his family
members, one Chunnu Sharma arrived and fetched his son
Praduman Kumar to enjoy Dashera Mela but his son did not
return to his house. Later on, the dead body of the son of the



informant was found at 'Gauri ghat' with firearm injuries. It is further alleged that his son has been murdered in a planned manner by accused namely Sonu Yadav, Deepak Yadav, Chandan Kumar and five unknown persons.

Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. The petitioner is not named in the F.I.R. His name has been transpired during investigation on the basis of the confessional statement of co-accused namely Kundan Kumar and except the confessional statement of co-accused, no other cogent material has come during investigation against the petitioner and co-accused, namely, Kundan Kumar has been granted bail by a co-ordinate Bench of this Court vide order dated 15.06.2022 passed in Cr. Misc. No. 6967 of 2022. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 26.03.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, 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 Court below where the case is pending in connection with Jehanabad (Town) P.S. Case No. 649 of 2021, subject to 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 absence on two consecutive dates without sufficient reason, his 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)

amit/-

U		T	
---	--	---	--

