

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50531 of 2022

Arising Out of PS. Case No.-191 Year-2022 Thana- BIKRAM District- Patna

Sanjay Yadav Son of - Lalan Prasad Yadav Resident of village - Raghapur,
P.S.- Bihar, District - Patna (Bihar), - Pin Code- 801103.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 66760 of 2022

Arising Out of PS. Case No.-191 Year-2022 Thana- BIKRAM District- Patna

Vinod Singh @ Vinod Sharma @ Binod Sharma @ Binod Singh @ Chhoti
Singh @ Chhote Singh Son of Late Narsingh Nrayan Singh Resident of
Village- Dihari, P.S.- Bihta, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 50531 of 2022)

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

Mr. Ajay Thakur, Advocate

For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 66760 of 2022)

For the Petitioner/s : Mr. Ashutosh Singh, Advocate

For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 11-04-2023 Heard Mr. Ajay Thakur, learned counsel for the

petitioners, learned counsel appearing on behalf of the

informant as well as learned Additional Public Prosecutor for

the State.

Learned counsel for the petitioners is permitted to



remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Petitioners seek bail where petitioner, namely, Sanjay Yadav is in custody since 30.04.2022 and petitioner, namely, Vinod Singh is in custody since 20.06.2022 in connection with Bikram P.S. Case No. 191 of 2022, F.I.R. dated 29.04.2022 for the offences punishable under Sections 147, 148, 149, 341, 448, 323, 354, 27, 379, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

According to prosecution case, all the accused persons including the petitioners killed the son of the informant at another place and his dead body was thrown at present place of occurrence due to some land dispute. It is further alleged that the informant's son sustained fire arm injury on his right chest and his skin was burnt variously.

Learned counsel for the petitioners submits that petitioners have 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 due to previous land dispute, the petitioners are falsely been implicated in the present case. He further submits that the petitioner, namely, Vinod Singh has confessed his guilt in the present



occurrence and except the confessional statement of the accused person (Vinod Singh), no other cogent material has come to suggest the involvement of the petitioners in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioners. The petitioner namely, Sanjay Yadav is in custody since 30.04.2022 and petitioner, namely, Vinod Singh is in custody since 20.06.2022.

The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioners on the ground that both the petitioners carries one criminal antecedent other than the present one.

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 Additional Chief Judicial Magistrate – VI, Danapur in connection with Bikram P.S. Case No. 191 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 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 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 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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