

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53124 of 2023

Arising Out of PS. Case No.-256 Year-2022 Thana- SULTANGANJ District- Bhagalpur

VIKASH YADAV S/O LATE UPENDRA YADAV VILLAGE GANGAPUR
PS SULTANGANJ, DIST- BHAGALPUR

... .. **Petitioner/s**

Versus

The State of Bihar

... .. **Opposite Party/s**

Appearance :

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

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Sultanganj P.S. Case No.256 of 2022 instituted under Sections 302/34 of the IPC lodged on 29.07.2022 by the informant Jungli Yadav.

As per the prosecution story, the allegation is that informant's son went out in the night, did not return, on the next day his dead body was recovered, which followed the FIR.

During the investigation, the name of Brajesh Kumar Yadav cropped as he was using the mobile of the deceased, arrested and he on in his confession named the petitioner.

Learned counsel for the petitioner submits that he has nothing to do with the occurrence, due to enmity Brajesh Kumar Yadav has named him and further submits that he has since been granted bail in Cr. Misc. No.41289 of 2023 by a coordinate



bench on 25.07.2023.

Let the same be kept on record.

Learned APP opposes the prayer for bail.

Taking into account the aforesaid facts that the petitioner is named in the FIR, his name has come in the confessional statement of Brajesh Kumar Yadav, as stated above, who has since been granted bail, is in custody since 24.03.2023 (para-14 of the petition), this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Sultanganj P.S. Case No.256 of 2022 to the satisfaction of learned ACJM, Ist, Bhagalpur, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned



police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan

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