

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57371 of 2022

Arising Out of PS. Case No.-101 Year-2022 Thana- PARASBIGHA District- Jehanabad

SOMAR YADAV Son of Surdan Yadav Resident of village- Mirganj, Police
Station- Shakurabad, District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 23-02-2023 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/ 34 of IPC.

The prosecution case, in short, is that the informant
alleges that he has firm faith that after snatching Rs.55,000/-
from his son, petitioner alongwith other co-accused persons
have killed his son and thrown his dead body in the pyne of the
village.

Learned counsel appearing for the petitioner submits
that the petitioner has falsely been implicated in the present case
only on the basis of suspicion. He further submits that there is
no eye witness of the alleged occurrence and during
investigation it has come that the petitioner was lastly seen with



the deceased. Except the aforesaid, no other cogent material has come during investigation against the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 30.05.2022.

Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner. Further submits that the petitioner carries six more cases other than the present one.

Considering the aforesaid facts, 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 Parasbigha P.S. Case No. 101 of 2022 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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