

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63151 of 2022

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

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Madheshwar Yadav S/o Late Dev Kishun Yadav R/o Village- Misterganj, P.S.-
Makhdumpur in the district of Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 13-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302/34 of the Indian Penal
Code.

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 along with other co-accused persons
have killed his son and thrown his dead body in the pyne of the
village.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case only on the basis of suspicion. He
further submits that at best the petitioner was last seen with the



deceased and the informant is not the eye witness of the alleged occurrence and except suspicion, no other cogent material has come during investigation against the petitioner. He further submits that similarly situated co-accused namely Somar Yadav has been granted bail by this Court vide order dated 23.02.2023 in Cr. Misc. No. 57371 of 2022 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 07.06.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees 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 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 witness, 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 antecedents, 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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