

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 66891 of 2023

Arising Out of PS. Case No.-109 Year-2021 Thana- BELAGANJ District- Gaya

Chandradeo Yadav Late Mahavir Yadav Village- Banshi Bigha, Ps- Belaganj,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan, Adv.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Belaganj P.S. Case No. 109 of 2021 dated 31.03.2021, lodged
under Sections 302/ 201/ 34 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against four named accused persons including the
petitioner. The allegation against the petitioner is to commit
murder of informant's husband alongwith other named co-
accused persons after calling him from home on 28.03.2021 at
about 09:00 P.M.

4. Learned counsel for the petitioner submits that
except last scene, nothing appeared against the petitioner and on
suspicion, his name has figured in this case. Counsel submits

that the two similarly situated co-accused persons, namely, Minta Devi & Indradev Yadav have been granted bail by the Co-ordinate Bench of this Court vide order dated 16.05.2022 & 08.08.2023 passed in Cr. Misc. No. 65302 of 2021 & Cr. Misc. No. 25442 of 2023 respectively.

5. Learned counsel for the petitioner further submits that there is one criminal case pending against the petitioner in which he is on bail. Counsel further submits that the said case was filed by the same informant's side. Counsel further submits that the petitioner is in custody since 10.04.2023.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Belaganj P.S. Case No. 109 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other 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 bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

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

(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.

8. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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