

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67855 of 2022

Arising Out of PS. Case No.-26 Year-2022 Thana- DEHRI TOWN District- Rohtas

Vinay Prasad @ Ramji Prasad Yadav @ Ramji Yadav Son of Pyari Prasad @
Pyari Yadav Resident of Village - Langura, P.S.- Manpur, District - Gaya. At
present Resident of Idgah Muhala, P.S.- Dehri, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s :	Mr. Jitendra Kumar Singh, APP
For the Informant :	Mr. Surendra Kumar Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 05-05-2023 Heard learned counsel for the petitioner, learned
counsel appearing on behalf of the informant as well as learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
21.01.2022 in connection with Sessions Trial No. 184 of 2022
arising out of Dehri (Town) P.S. Case No. 26 of 2022, F.I.R.
dated 16.01.2022 for the offences punishable under Sections
302/34 of the Indian Penal Code.

According to prosecution case, the son of the
informant was found dead outside his house and the informant
found that there were several injuries which was caused by



some sharp weapon which caused the death of his son.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of the CDR as well as self confessional statement of the petitioner. He further submits that except the confessional statement of the petitioner, no other cogent material has come during investigation to connect the petitioner in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 21.01.2022.

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 petitioner.

Considering the aforesaid facts and circumstances and period of custody, 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 the learned Additional Sessions Judge-16, Rohtas at Sasaram in connection with Sessions Trial No. 184 of 2022 arising out of



Dehri (Town) P.S. Case No. 26 of 2022, subject to 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 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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