

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70035 of 2022

Arising Out of PS. Case No.-142 Year-2020 Thana- FULKAHA District- Araria

Nunu Lal Yadav S/O Late Basudeo Yadav Resident of village- Laxmipur,
P.S.- Fulkaha, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-03-2023 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, 379, 120(B), 34 of the
Indian Penal Code.

As per the prosecution case, allegation is that the co-
accused Tuniya Devi, the step mother of the informant killed the
grandmother-in-law of the informant due to land dispute with
the help of criminal associates.

Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely 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
on the basis of confessional statement of co-accused namely



Ghoran Yadav @ Shyam Sunder Yadav. He further submits that it has come during investigation on the basis of CDR report that co-accused Tuniya Devi was in regular touch with co-accused Ghoran yadav. He further submits that except the confessional statement of co-accused person, no other cogent material has come during investigation against the petitioner and co-accused Tuniya Devi has been granted bail by a Coordinate Bench of this Court vide order dated 03.03.2022 passed in Cr. Misc. No. 30941 of 2021 and another co-accused Ghoran Yadav whose confessional statement the name of the petitioner has been transpired has been granted bail by a Coordinate Bench of this Court vide order dated 07.03.2022 passed in Cr. Misc. No. 33240 of 2021. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 21.07.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries four more case other than the present one but fairly submits that out of four cases, the petitioner is on bail in three cases.

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



Fulkaha P.S. Case No. 142 of 2020, 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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