

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4311 of 2024

Arising Out of PS. Case No.-14 Year-2023 Thana- DANDARI District- Begusarai

DEEPAK YADAV @ DEEPAK KUMAR SON OF LATE BULO YADAV
RESIDENT OF VILLAGE - PRATARPUR, P.S. - DANDARI, DISTRICT -
BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Chandra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-02-2024 Heard the parties.

2. The petitioner is in custody in connection with Dandari P.S. Case No. 14 of 2023 for the offence punishable under sections 302 and 34 of the Indian Penal Code lodged on 09.03.2023, by the informant, Prakash Yadav.

3. As per the prosecution story, the informant alleged that he came to know about the killing of his brother and named the accused persons on suspicion that they have killed his brother.

4. Learned counsel for the petitioner submits that the informant is not an eye-witness and on suspicion the name of the accused persons have come up. It is further submitted that omnibus allegation has been made against half a dozen accused



persons, Sirpat Yadav included. His submission is that the said Sirpat Yadav has been granted bail vide order dated 04.10.2023 in Cr. Misc. No. 70955 of 2023, by a Coordinate Bench.

5. Learned APP opposes the prayer for bail stating that they have been named by the informant.

6. From the FIR it is clear that the informant is not an eye-witness, on suspicion the names have come, one of the similar placed co-accused Sirpat Yadav has been granted bail, as stated above, he do not have criminal antecedent and in custody since 18.06.2023 (para 12 of the petition), this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Begusarai, in connection with Dandari P.S. Case No. 14 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her 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 bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

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

(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 his bail bonds.

8. With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Adnan/-

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