

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14744 of 2024

Arising Out of PS. Case No.-265 Year-2023 Thana- RAGHUNATHPUR District- Siwan

Amit Yadav @ Amit Kumar Yadav Son Of Shivrath Yadav @ Shrinath Yadav
Resident Of Village- Sarharva Siwan, Ps- Darauli, Distt- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-04-2024 Heard Mr. Abhishek Kumar, learned counsel for
the petitioner and Mr. Kumar Veerendra Narayan, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Raghunathpur P.S. Case No. 265 of 2023, F.I.R. dated 14.11.2023 for the offences punishable under Sections 302/34 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including this petitioner have murdered the son of the informant, namely, Karan Singh.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the informant is not the eye



witness of the alleged occurrence and even no one has seen the alleged occurrence. He further submits that except suspicion no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence.

5. The learned Additional Public Prosecutor on the basis of material available on record and the case diary has vehemently opposed the prayer for bail of the petitioner and submits that it has come during investigation that the petitioner and other accused persons took the son of the informant and thereafter the dead body of the son of the informant was found on the very next day and apart from that the petitioner carries three criminal antecedents other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in all the three cases.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Judicial Magistrate 1st Class, Siwan in connection with Raghunathpur P.S. Case No. 265 of 2023, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. 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.

ii. 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.

iii. 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)

Vanisha/-

U		T	
---	--	---	--

