

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14864 of 2024

Arising Out of PS. Case No.-105 Year-2023 Thana- DHANAHA District- West Champaran

Heera Yadav @ Hira Yadav S/O Late Ramdhari Yadav R/O Village-
Musahari, Baira Bazar, P.S- Dhanaha, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prerna Anand, Adv.

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 11-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Dhanaha PS Case No. 105 of 2023 dated 03.06.2023, instituted for the offence punishable under Sections 341, 323, 324, 325, 326 and 307/34 of the IPC. Later on, Section 302 of the IPC was added.

3. As per the prosecution case, the father of the informant was killed by unknown criminals.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has been falsely implicated in this case. The FIR has been lodged against unknown accused persons. The name of the petitioner has transpired in this case on the basis of confessional statement of co-accused, namely, Amal Yadav. No specific overt act is alleged against the



petitioner. The petitioner is in custody since 21.07.2023. Similarly situated co-accused, namely, Uma Yadav has been granted bail by a Coordinate Bench of this Court vide order dated 20.02.2024, passed in Cr. Misc. No. 9685 of 2024. Lastly, it is submitted that three criminal cases are pending against the petitioner.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the JM 1st Class, Bagaha (West Champaran) in Dhanaha PS Case No. 105 of 2023, subject to the conditions (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed 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) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present



case and thereafter the court below will be at liberty to initiate
the proceeding for cancellation of bail on ground of misuse.

(Khatim Reza, J)

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