

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31694 of 2024

Arising Out of PS. Case No.-511 Year-2019 Thana- BODHGAYA District- Gaya

Kailu Yadav @ Anil Yadav, aged about 40 years, Male, Son of Late Janki Yadav, Resident of Village- Thekhi (Thekahi), Police Station- Fatehpur, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh, Advocate

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 09-08-2024 Heard Mr. Aryan Singh, learned counsel appearing on behalf of the petitioner and Mr. Anil Kumar Singh No. 1, learned APP for the State.

2. Petitioner seeks regular bail in connection with Bodhgaya P.S. Case No.511 of 2019 registered for the offences punishable under Section 396 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the allegation made in the FIR, while the uncle of the informant was returning home on 25.11.2019, six unknown miscreants committed robbery and killed his uncle, who had sustained bullet injury on his neck. FIR is against unknown.

4. Learned counsel appearing on behalf of the



petitioner submitted that petitioner is innocent and has been falsely implicated in the present case. Learned counsel further submitted that petitioner has been made accused in the present case on the basis of confessional statement of co-accused Kapil Yadav, who has been granted bail by a co-ordinate Bench of this Court *vide* order dated 22.09.2021 passed in Cr. Misc. No.30464 of 2021. Petitioner is in custody since 11.09.2023.

5. Learned APP appearing for the State opposes the bail prayer.

6. Considering the nature of allegation and also the fact that name of the petitioner has transpired in the present case on the basis of confessional statement of co-accused Kapil Yadav and who has already been granted bail by a co-ordinate Bench of this Court and also the fact that the petitioner is in custody since 11.09.2023, the petitioner, above named, is directed to 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 Chief Judicial Magistrate, Gaya in connection with Bodhgaya P.S. Case No. 511 of 2019.

7. It is made clear that the petitioner will make his attendance before the concerned police station under which his



house is located every fortnight till conclusion of the trial and on any single default without any valid reasons on the part of the petitioner, his bail bonds shall be cancelled and the concerned SHO of the police station shall submit his monthly attendance report to the Superintendent of Police having jurisdiction.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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