

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25466 of 2024

Arising Out of PS. Case No.-306 Year-2023 Thana- BUXAR INDUSTRIAL District- Buxar

Sanjay Yadav S/o Late Lala Yadav R/o Village Balapur, P.S. - Buxar
(Industrial), Distt. - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shivendra Kumar Sinha, Advocate
	:	Mr.Ramakant Yadav, Advocate
	:	Mr.Ranjeet Patel, Advocate
For the Opposite Party/s	:	Mr.Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 26-07-2024 Heard Mr.Shivendra Kumar Sinha, learned counsel
for the petitioner and Mr.Surendra Prasad Singh, learned A.P.P.
for the State.

2. The petitioner seeks bail, who is in custody since
23.11.2023 in connection with Buxar (Industrial) P.S. Case No.
306 of 2023, F.I.R. dated 19.11.2023 registered for the offence
punishable under Sections 302,120(B)/34 of IPC.

3. Allegation against the petitioners is that they killed
the deceased Anita Devi and her younger daughter aged about
five years with sharp cut weapons.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent and he has
falsely been implicated in the present case. Further submits that



from a bare perusal of the FIR it appears that the date of occurrence as alleged in the FIR is 17.11.2023 but the present FIR has been instituted on 19.11.2023 after delay of two days afterthought only to falsely implicate the petitioner and his family members in the present case. Further submits that the petitioner is brother-in-law of the deceased and he has no concern at all with the family affairs of the deceased and he is living separately from the family members of the deceased and informant is not the eye witness of the alleged occurrence and no one has seen the occurrence and nothing has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 23.11.2023.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid fact, let the petitioner, above named, 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 learned Chief Judicial Magistrate, Buxar in connection with Buxar (Industrial) P.S. Case No. 306 of 2023, with the 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/her absence on two consecutive dates without sufficient reason, his/her 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)

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