

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30338 of 2024

Arising Out of PS. Case No.-347 Year-2023 Thana- SAHEBPUR KAMAL District-
Begusarai

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Narendra Yadav SON OF DHANIK YADAV @ DHANIK LAL PRASAD
YADAV RESIDENT OF VILLAGE- CHHARAPATTI, PS- SAHEBPUR
KAMAL , DIST- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabi Bhushan, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 26-07-2024 Heard the parties.

2. The petitioner is in custody in connection with
Sahebpur Kamal P.S. Case No. 347 of 2023 for the offence
punishable under Sections 302, 364, 506 and 34 of the Indian
Penal Code lodged on 18.12.2023 by the informant, Kapil Dev
Yadav.

3. As per the prosecution story, in the FIR it has been
alleged that this petitioner came and informed the informant that
his son has fallen in the *Malhipur Diara* but upon reaching the
spot, saw his son in a pool of blood. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that
during the investigation/supervision of the SDPO, it has come
that Manish Kumar and Abhinandan Kumar took the son of the



informant Shivam Kumar where Nitish Kumar @ Bhola Yadav open fired causing the death. Thereafter, this petitioner came to the informant and informed that his son has fallen in the *Malhipur Diara*. Later, the dead body was found and the land dispute is there between Narendra Yadav and the others, he has been implicated.

5. Learned APP opposes the prayer for bail submitting that he has criminal antecedent of same nature.

6. Taking into account the fact that allegation of killing the son of the informant is against Nitish Kumar @ Bhola Yadav and further Manish Kumar and Abhinandan Kumar took his son when the killing took place, the role assigned to this petitioner is of calling the informant to the place of occurrence, he has remained in custody since 19.12.2023 (paragraph-15 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 Chief Judicial Magistrate, Begusarai, in connection with Sahebpur Kamal P.S. Case No. 347 of 2023 subject to the following conditions:

(i) one of the bailor should be the family



member/relative 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.

(Rajiv Roy, J)

Adnan/-

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