

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48685 of 2024

Arising Out of PS. Case No.-356 Year-2023 Thana- JOGAPATTI District- West Champaran

RAMBHU YADAV @ RAAMBHU YADAV SON OF RAMNATH YADAV
RESIDENT OF VILLAGE - CHAUMUKHA, P.S. - YOGAPATTI,
DISTRICT - WEST CHAMPARAN (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate Mr. Uday Shankar Pandey, Advocate
For the Opposite Party/s	:	Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-07-2024 Heard Mr. Yogesh Chandra Verma, learned Senior
counsel for the petitioner and the State.

2. The petitioner is in custody in connection with
Yogapatti P.S. Case No. 356 of 2023 for the offence punishable
under Sections 302 and 34 of the Indian Penal Code lodged on
03.08.2023 by the informant, Umesh Yadav.

3. As per the prosecution story, the informant alleged
that he saw his son Deepak Kumar going with one Ramshatri
Yadav on motorcycle. Later as he failed to return, on the next day,
they searched and saw his dead body. He gave the names of the
accused persons with whom he had land dispute and alleged that
they are the persons behind the killing. Accordingly, the FIR.

4. Learned Senior counsel for the petitioner submits that



though in the case diary it has come that a panchayat took place but they wanted to kill someone in the family so that they never come to disputed land, the other case diary clearly shows that the victim actually committed suicide and a piece of paper was also recovered/seized from his pocket.

5. He submits that in any case, FIR lodged, he is ready to face the trial, the petitioner do not have criminal antecedent and one of the similar placed accused Manish Kumar has since been extended bail by Coordinate Bench in Cr. Misc. 2120 of 2024 vide order dated 09.04.2024.

6. Learned APP opposes the prayer for bail submitting that in the confessional statement of one of the co-accused, the name of all the other persons came.

7. Though there is/are allegation, admittedly, the matter is of last seen, the petitioner do not have criminal antecedent, FIR has been lodged, he will be facing the trial as undertaken and one of the similar placed co-accused has been granted bail, as stated above, this Court is inclined to extend him the privilege of bail with conditions.

8. 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, West Champaran at Bettiah, in connection with



Yogapatti P.S. Case No. 356 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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