

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50459 of 2024

Arising Out of PS. Case No.-433 Year-2021 Thana- NAUTAN District- West Champaran

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Vrigun Yadav @ Bhiragun Yadav Son Of Gunraj Yadav @ Gulraj Yadav
Resident of Village - Bharti Tola Dakshin Telhua, Police Station - Nautan,
District - West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr.Pranav Kumar,APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 13-09-2024 Heard Mr.Brij Kishor Mishra,learned counsel for
the petitioner and Mr.Pranav Kumar,learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
27.06.2022 in connection with S.Tr.No.757 of 2022 arising out
of Nautan P.S. Case No. 433 of 2021, F.I.R. dated 15.11.2021
registered for the offence punishable under Sections
147,341,323,302,447,504,506 of IPC.

3. Earlier the prayer for bail of the petitioner was
twice rejected vide orders dated 17.03.2023 and 08.12.2023
passed in Cr.Misc. Nos.71884 of 2022 and 66763 of 2023.

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



alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and due to admitted land dispute, the present occurrence had taken place. As per allegation in the FIR that the petitioner snatched the baby from the lap of wife of the informant and slammed the baby on ground and due to that baby was died. Learned counsel for the petitioner submits that the petitioner has been made accused in the present case on the basis of land dispute background and although as per FIR allegation against the petitioner and the petitioner is rotting in judicial custody since 27.06.2022.

5. Vide order dated 12.07.2024, a report was called for with regard to the present status of the trial. Report of the learned Trial Court dated 24.07.2024 reveals that the charge has been framed against the petitioner and the case is fixed at the stage of prosecution evidence and out of six chargesheet witnesses, till date two witnesses have been examined by the prosecution.

6. Learned counsel for the petitioner submits that in view of the report of the learned Trial Court that there is no chance of early conclusion of the trial in near future and the petitioner is custody since 27.06.2022.

7. Learned APP for the State has opposed the prayer



for bail of the petitioner and submits that from a bare perusal of the FIR it appears that there is direct and specific allegation against the petitioner in the FIR.

8. Considering the aforesaid fact, report of the learned Trial Court and the period of custody, 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 Additional District and Sessions Judge-4th, Bettiah, West Champaran in connection with S.Tr.No.757 of 2022 arising out of Nautan P.S. Case No. 433 of 2021, 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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