

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50085 of 2024

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

RAMASHISH YADAV @ RAMSHISH YADAV SON OF LATE BIGA
YADAV RESIDENT OF VILLAGE - CHAUMUKHA, P.S. - YOGAPATTI,
DISTRICT - WEST CHAMPARAN, BETTIAH

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deovind Kumar Singh

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in judicial custody in connection with Yogapatti P.S. Case No. 356/2023 registered under Sections 302/34 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 counsel for the submits that the accused Rambhu Yadav @ Raambhu Yadav in Criminal Miscellaneous No. 48685/2024 was extended relief. This petitioner remain outside from custody almost one year, his anticipatory bail was rejected on 18.04.2024. It is his contention that immediately thereafter he surrendered on 01.05.2024 (as stated in paragraph 14 of the petition).

5. Learned APP for the State opposes the prayer and submitted that his name has also come in the police investigation.

6. Though the petitioner is an accused in a case, the fact remains that similar placed co-accused Rambhu Yadav @ Raambhu Yadav has been granted bail, he is in custody since 01.05.2024, FIR lodged and he will have to face the trial, this Court is inclined to grant him privilege of bail.

7. Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran, Bettiah in connection with Yogapatti P.S. Case No. 356/2023 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/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark 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 his 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 the bail bonds.

(Rajiv Roy, J)

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