

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54953 of 2024

Arising Out of PS. Case No.-98 Year-2023 Thana- KEWATI District- Darbhanga

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Sunner Yadav Son Of Ramdev Yadav Resident Of Village - Badh Pokhar, P.S.
- Keoti, District - Darbhanga

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-08-2024 Heard Mr.Vinay Kumar Mishra, learned counsel for

the petitioner and Mr.Kumar Veerendra Narayan, learned A.P.P.

for the State.

2. The petitioner seeks bail, who is in custody since
29.04.2024 in connection with Keoti P.S. Case No. 98 of 2023,
F.I.R. dated 02.04.2023 registered for the offence punishable
under Section 304(B) of IPC.

3. Earlier the petitioner alongwith other co-accused
persons have been granted privilege of anticipatory bail by this
Court vide order dated 04.04.2024 passed in Cr.Misc. No.20898
of 2024 but the bail bond of the petitioner has not been accepted
by the learned court below on the ground that the petitioner
carries one more case other than the present one, as mentioned
in para-3 of the bail petition.



4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case on the ground that the petitioner is father-in-law of the deceased. Further submits that from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt-act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 29.04.2024.

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

6. Considering the aforesaid fact, petitioner has been granted privilege of anticipatory bail but due to his criminal antecedent, the bail bond of the petitioner has not been accepted by the learned court below, there is no specific allegation of any assault or overt-act attributed against the petitioner and petitioner is father-in-law of the deceased, 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, Darbhanga in connection with Keoti P.S. Case No. 98 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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