

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76786 of 2023

Arising Out of PS. Case No.-24 Year-2023 Thana- MURAR District- Buxar

JAI PRAKASH SINGH @ MUNNA YADAV Son of Late Brij Bihari Yadav
Resident of Village- Ojha Baraon, P.S. - Murar, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate Ms. Priyanka Singh, Advocate
For the Opposite Party/s	:	Mr. Atul Chandra, APP
For the Informant	:	Mr. Shailendra Kumar Choubey, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 3 29-02-2024 1. Heard learned Senior counsel for the petitioner,
learned APP for the State and learned counsel for the informant.
2. The petitioner has preferred this application for
grant of regular bail in connection with Murar P.S. Case no. 24
of 2023 registered under sections 302, 307, 147, 149, 504, 506
and 120B of the Indian Penal Code and section 27 of the Arms
Act.
3. As per the prosecution case, the informant states
that while the petitioner and one another caught hold of the
brother of the informant, as a result of firing resorted to by one
Vikash Yadav, the informant's brother died on the spot.
4. Learned Senior counsel appearing for the petitioner
submits that the petitioner has been falsely implicated in the



case. Even as per the allegations in the F.I.R, the petitioner is not alleged to be the assailant of the deceased. He is in custody since 30.5.2023 and undertakes to cooperate in the trial.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that not only the petitioner is named in the F.I.R but he is said to have played an active role in the occurrence. He along with one another caught hold of the deceased and facilitated his shooting down by the assailant Vikash Yadav. It is submitted that once he is enlarged on bail, he will not let the try proceed.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R, the petitioner not having been described as the assailant of the deceased together with the petitioner having remained in custody for nine months since 30.5.2023, the petitioner is directed to be enlarged on bail in connection with Murar P.S. Case no. 24 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate- 1st Class, Buxar on the following conditions :-



(1) The petitioner shall remain physically present in court on each date of the trial and shall cooperate in the trial.

(2) In case the petitioner is absent on any date for reasons not to the satisfaction of the learned trial Court or the learned trial Court is of the opinion that the trial is being delayed due to non-cooperation on part of the petitioner, the learned trial Court may cancel the bail bond of the petitioner and take him into the custody till conclusion of the trial.

(Partha Sarthy, J)

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