

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26220 of 2024

Arising Out of PS. Case No.-275 Year-2021 Thana- SONO District- Jamui

RAJESH YADAV Son of Ganesh Yadav Resident of Village-Bhithra, P.S.-
Sono, District-Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Raj, Advocate

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 21-01-2025 Heard Mr.Yogesh Chandra Verma, learned senior
counsel appearing for the petitioner and Mr.Ram Bilash Roy
Raman, learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
27.06.2022 in connection with Sono P.S. Case No. 275 of
2021, S.Tr.No.30 of 2023, F.I.R. dated 08.10.2021 registered for
the offence punishable under Sections 302,120B and 34 of IPC.

3. Earlier the prayer for bail of the petitioner was
rejected vide order dated 20.04.2023 passed in Cr. Misc.
No.70903 of 2022.

4. Learned counsel appearing for the petitioner
submits that the petitioner 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. In fact the informant is not the eye witness of the alleged occurrence and merely on the basis of suspicion, the petitioner has falsely been implicated in the present case. On the last occasion, the prayer for bail of the petitioner was rejected on the ground that the bail application of co-accused person has been rejected by a Coordinate Bench of this Hon'ble Court.

5. Vide order dated 06.12.2024 a report was called for with regard to the stage of the trial. Report of the learned Trial Court dated 04.01.2025 reveals that out of nine chargesheet witnesses, only two witnesses have been examined as yet.

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 in custody since 27.06.2022 i.e. more than two and half years.

7. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that bail application of co-accused person has been rejected by a Coordinate Bench of this Hon'ble Court and apart from that, the petitioner carries two cases other than the present one but he fairly submits that the petitioner is on bail in both the cases, as mentioned in para-3 of



the bail petition.

8. Considering the aforesaid fact 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 Sessions Judge-II, Jamui in connection with Sono P.S. Case No. 275 of 2021, S.Tr.No.30 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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