

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29035 of 2025

Arising Out of PS. Case No.-86 Year-2022 Thana- SHAHPUR PATORI District- Samastipur

Yugal Kishore Rai S/o Late Damodar Rai Resident of Sahpur Undi, P.S.-
Patory, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swarna Roy, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 04-07-2025 Heard Mr. Swarna Roy, learned counsel for the

petitioner as well as Mr. Ashok Kumar Singh, learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
26.02.2025 in connection with Patory P.S. Case No. 86 of 2022,
F.I.R. dated 05.03.2022 for the offences punishable under
Sections 302 and 34 of the Indian Penal Code.

3. According to prosecution case, the informant
alleged that the petitioner alongwith other co-accused persons
have killed his father.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. The allegation levelled against
the petitioner is false and fabricated. It is apparent from the FIR



itself that petitioner is not named in the FIR and his name transpired on the basis of confessional statement of co-accused person, namely, Kundan Kumar which is recorded in the case diary and as per confessional statement of co-accused person, other co-accused, namely, Raushan Kumar has killed the father of the informant and the said Kundan Kumar has been granted the privilege of bail by this Court vide order dated 25.01.2023 in Cr. Misc. No. 35217 of 2022 and the police after investigation has submitted charge-sheet. The petitioner is in custody since 26.02.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that it appears from the confessional statement of co-accused person that the petitioner was also involved in the present crime in question.

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and his name transpired on the basis of confessional statement of co-accused person, namely, Kundan Kumar and he has been granted the privilege of bail by this Court, 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 the



learned Session Judge, Samastipur in connection with Patory
P.S. Case No. 86 of 2022, subject to 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 absence on two consecutive dates without sufficient reason, his 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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