

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35178 of 2017

Arising Out of PS. Case No.-126 Year-2014 Thana- KHAGARIA District- Khagaria

Rudal Yadav @ Indal Yadav, son of Gorelal Yadav, Resident of Village
Mathar, P.S. Muffassil, District-Khagaria Petitioner/s

Versus

The State Of Bihar Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bishweshwar Ram, Advocate
For the State	:	Mr. Shantanu Kumar, APP
For the Informant	:	M/s Viveka Nand Singh and Aansh Kumar, Advocates

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

3 13-12-2017 I have heard learned counsel for the petitioner, the State
and the informant.

The petitioner seeks bail in a case registered for offences punishable under Sections 341, 342, 504, 324, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

Earlier the petitioner had moved this Court vide Cr. Misc. No. 45433 of 2016 which was dismissed by order dated 24.10.2016. However, it was stated in the order that the this Court is not inclined to grant privilege of bail to this petitioner at that stage.

Now the petitioner submits that the charges have been submitted on 5.9.2017. Learned counsel also points out that the date of occurrence is 25.6.2013, the fardbeyan was recorded in the hospital on 28.7.2013 and first information report was



registered on 5.3.2014, i.e., after about ten months. It is also contended that the allegation is not supported by injury report. That apart, it is submitted that from perusal of the first information report it would be writ large that the allegation of assault by firearm is attributable to two accused persons, namely, Gulak Yadav as well as petitioner both of them having fired at the petitioner hitting the head and still the victim is alive and one of the co-accused, namely, Gulak Yadav has been granted bail vide Annexure 3 dated 20.2.2016 by the court below itself.

So far this petitioner is concerned his bail application was rejected by this Court vide Annexure 1. Now it is contended that he is in custody since 7.6.2016.

Having regard to the facts and circumstances of the case, the above named petitioner is directed to be released on bail on his furnishing bail bond of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge 1st, Khagaria, in connection with S.C. No. 396/2016 arising out of Khagaria (Muffasil) P.S. Case No. 126 of 2014.

Further the petitioner shall remain present on each and every date during the course of trial. If the petitioner fails to



remain present on two consecutive dates without any reasonable explanation then the court concerned would be at liberty to take steps for cancellation of bail bonds of the petitioner.

(Dr. Ravi Ranjan, J)

Spd/-

U		T	
---	--	---	--

