

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62934 of 2018

Arising Out of PS. Case No.-157 Year-2016 Thana- GOGRI District- Khagaria

Sanjay Yadav Son of Raghunandan Yadav @ Raghunand Yadav, Resident of
Villagbe-Amni, P.S.-Mansi, Distt.-Khaharia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Roshan Kumar Mishra

For the Opposite Party/s : Mr. Md. Ashlam Ansari

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 12-10-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Gogri P.S. Case No. 157 of 2016 (Suppl. Gogari P.S. Case No. 157/2016 registered for the offence punishable under Sections 302/34 of the Indian Penal Code and Section 27 of Arms Act.

Informant has alleged in his written complaint that when Harku Yadav, father of the informant was returning to his house on motorcycle, in the meantime in the way Nanhu Yadav alongwith Bucho Yadav and Sarjan Yadav came on motorcycle and Sarjan Yadav fired causing firearm injury on the right hand of the father of the informant. Thereafter Bucho Yadav also fired which caused firearm injury on the head of the father of the



informant. In the meantime, the petitioner alongwith four other persons, who were present there, also fired upon the father of the informant.

It has been submitted on behalf of the petitioner that there is specific allegation of causing firearm injury on the father of the informant against Sarjan Yadav and Bucho Yadav. The allegation against this petitioner is that he alongwith four others also fired upon the father of the informant but in the post mortem report of deceased, the father of the informant, only two firearm injuries were found on his person. Co-accused, namely, Nandu yadav has been granted bail vide order dated 15.02.2017 passed in Cr. Misc. No. 1741 of 2017 and other similarly placed co-accused persons have also been granted bail by this Hon'ble Court as contained in Annexure- 3 series. Petitioner has no criminal antecedent and he is in custody since 18.07.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon 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, Khagaria, in connection with Gogri P.S. Case No. 157 of 2016 (Suppl. Gogari P.S. Case No.



157/2016 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

veena/-

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

