

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59055 of 2018

Arising Out of P.S.Case No. -126 Year- 2018 Thana -BELHAR District- BANKA

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Lalan @ Lalan Yadav @ Lalu Yadav S/o Puran Yadav, R/o Vill.-
Tarimanjhgay, P.S.- Belhar, District- Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 08-10-2018 Heard learned counsels for the petitioner as well as
learned APP for the State.

The petitioner is in custody in connection with Belhar
P.S.Case No.126 of 2018 registered for an offence under Sections
147, 148, 149, 341, 323, 324, 325, 307, 504 and 506 of the IPC
and Section 27 of the Arms Act.

As per FIR when the informant was loading sand on a
tractor, altogether 10 to 12 persons came and started indiscriminate firing. It
is alleged that co-accused Santosh Singh and Prakash Singh fired causing
injury on his hand.

It has been submitted that the allegation of causing injury is against
Santosh Singh. The petitioner had no concern with the loading of sand and other FIR named
accused has been allowed by this Court. The allegation of assault is omnibus



against altogether ten persons. Petitioner is in custody since 23.06.2018 having clean antecedent.

The learned APP opposed the submissions.

Considering the aforesaid facts and circumstances, prayer for bail is allowed. Let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of ACJM-II, Banka in connection with Belhar P.S.Case No.126 of 2018 with following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

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