

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36982 of 2018

Arising Out of PS.Case No. -39 Year- 2018 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

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Krishna Yadav, S/o Late Baso Yadav, resident of Village- Sataua, P.S
Giriyak, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dineshwar Prasad Singh

For the Opposite Party/s : Mr. Sri Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 19-07-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Giriyak P.S. Case No.39 of 2018 registered for the offences
punishable under Sections 147, 148, 149, 323, 307 and 504 of the
Indian Penal Code and Section 27 of the Arms Act.

The allegation as per F.I.R. is that this petitioner and
other co-accused armed with deadly weapon came and assaulted
the informant and his family members and made indiscriminate
firing. This petitioner allegedly shot fire which caused injury on
the neck of informant.

It has been submitted that this petitioner and informant
are agnates and they are at litigating term for their ancestral land.



The title suit filed by the father of the informant bearing Title Suit No.80 of 1992 was compromised. The informant's side is not abiding the terms of compromise and creating trouble in peaceful possession of the petitioner. The injuries found on the person of informant and other family members are simple in nature. The petitioner is in custody since 06.04.2018 having clean antecedent and so he deserves bail.

The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer of bail is allowed. The petitioner, named above, is directed to 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 learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Giriyak P.S. Case No.39 of 2018 corresponding to G.R. No.356 of 2018, subject to the 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) If the petitioner is found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iv) The petitioner shall cooperate in the disposal



of trial and make himself 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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