

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58945 of 2018

Arising Out of PS. Case No.-9 Year-2018 Thana- JOGBANI RAIL P.S. District- Katihar

Kundan Yadav, Son of Shri Heera Yadav, resident of Netaji Chowk, P.S.
Jogbani, District Araria, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Sharma, Adv
For the Opposite Party/s	:	Mr. Sanjay Kumar Tiwary, APP
For the Informant	:	Mr. Kundan Kumar Singh, Adv

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 22-11-2018 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the Informant.

Petitioner seeks bail in **Jogbani Rail P.S. Case No.
09 of 2018** registered for the offence punishable under Sections
307/120B/34 of the Indian Penal Code and Section 27 of the
Arms Act.

Allegation against the petitioner is of trying to commit
murder of the Informant along with FIR named accused by
firing on his back.

It has been submitted on behalf of the petitioner that
he is innocent and has been falsely implicated in this case due to
previous enmity. It has been further submitted that allegation
made against petitioner is of causing fire arm injury on back and



head of Informant but nothing serious happened to him. In the injury report there is no fire arm injury in Head as alleged is found. Hospital is 50 Km away in Nepal. Petitioner has got no criminal antecedent and is in custody since 30.07.2018.

Learned counsel for the Informant vehemently opposes the prayer for bail.

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/- with two sureties of the like amount each to the satisfaction of learned **Sessions Judge, Katihar**, in connection with **Jogbani Rail P.S. Case No. 09 of 2018**, with following conditions:-

(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 represented on each and every date fixed by the court.

(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)

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