

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6939 of 2019

Arising Out of PS. Case No.-538 Year-2017 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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SUGRIB YADAV @ SHAMBHU YADAV, aged about 23 years (Male), son
of Rambilash Yadav, resident of Village – Kaithma, P.S. Muffasil, District-
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Ranjan, Adv.

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 18-02-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Muffasil P.S. Case No. 538 of 2017, registered
for the offences punishable under Sections 302, 147, 148 and
149 of the Indian Penal Code and Section 27 of the Arms Act.

As per F.I.R., on the order of Balmiki Yadav, FIR
named accused persons fired at the father of the informant, who
later on, succumbed to the injuries. There is no allegation of
firing by petitioner. Allegation of assaulting by iron rod is not
supported in post-mortem report.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. He has been
falsely implicated in this case due to enmity and village politics.
Similarly placed co-accused has been granted bail by co-



ordinate bench of this court as contained in Annexure-3.
Petitioner has no criminal antecedent and is in custody since
03.12.2018.

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, Begusarai, in connection with
Muffasil P.S. Case No. 538 of 2017, subject to 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (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)

Rajiv/-

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