

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7848 of 2019

Arising Out of PS. Case No.-337 Year-2017 Thana- SABAUR District- Bhagalpur

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PRAKASH YADAV, aged about 32 yrs. (M), Son of Fuchcho Yadav Resident of Village - Mirjapur, P.S. Sabour, District- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh
For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 11-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Sabour P.S. Case No. 337 of 2017 registered for the offence punishable under Sections 341, 323, 307, 504, 506 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

Informant has alleged that he had altercation with Prakash Yadav and Sanjay Yadav and, thereafter, he and his family members went to settle the matter where Prakash Yadav fired upon them which hit the back of his brother-in-law.

It has been submitted that the petitioner has earlier moved this Court for grant of bail which was rejected by this Court with an observation that petitioner would be at liberty to renew his prayer for bail after one year of custody, as contained in Annexure 1. There is only one firearm injury found on the



back of the injured and the petitioner is in custody since 19.12.2017 having no criminal antecedent.

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 A.C.J.M. X, Bhagalpur in connection with Sabour P.S. Case No. 337 of 2017, 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, 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)

Sanjay/-

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