

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19845 of 2019

Arising Out of PS. Case No.-203 Year-2017 Thana- HASANPUR District- Samastipur

NEERAJ YADAV @ NIRAJ YADAV @ NIYAJ YADAV, aged about 40 years, (M) Son of Dev @ Deo Narayan Ray @ Bhikho Ray Resident of Village - Paridah, P.S.- Hasanpur, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 02-04-2019 Heard learned counsel for the parties.

Petitioner, who is in custody, seeks bail registered for the offences punishable under Sections 307, 323, 324, 34, 504, 341 and 506 of the Indian Penal Code and under Section 27 of the Arms Act.

Informant has stated in his fardbeyan that while his cousin had gone to bring k. oil and on his alarm when he reached there, he saw that Six FIR named accused have surrounded his cousin and there is allegation against petitioner of firing upon his cousin brother which hit his left rib, further allegation is against accused Poonam Kumari of firing upon his brother which hit his left arm and allegation against Narayan Rai is firing upon informant which hit his right leg and on



assemblage of villagers all accused fled away and thereafter they were taken to hospital from where they were referred to Begusarai for specialized treatment. There is admitted enmity between the parties and both are on litigating terms. There has been case and counter case.

It has been submitted on behalf of the petitioner that charges has already been framed in this case on 13.09.2018 but since thereafter no prosecution witnesses have turned up. He is in custody since 15.03.2018. Earlier petitioner had moved for grant of regular bail and same was rejected by Annexure-1.

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 court below where the case is pending in connection with **S.T. No. 387 of 2018 arising out of Hasanpur P.S. Case No. 203 of 2017**, with following condition:-

(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)

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