

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61562 of 2019**

Arising Out of PS. Case No.-124 Year-2018 Thana- CHAKAND District- Gaya

SUNIL YADAV S/o Vijay Yadav R/o village- Lachhanbigha, P.S.- Belaganj,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aditya Nath Pandey
For the Opposite Party/s : Mr.Sanjay Kumar

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 20-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 302/34 of the Indian Penal
Code and Section 27 of the Arms Act.

Allegation against the petitioner is that on 27.09.2018
at about 8PM the informant and his grand son were having talks
in their Aangan and at about 12PM, the petitioner arrived and
opened fire upon Bindu Yadav. After firing, the accused persons
fled away. Bindu Yadav succumbed to the injury.

Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in this case due to
previous enmity of Belaganj P.S. Case No. 116 of 2018 dated
09.05.2018 under Section 366A/34 I.P.C. in which father of the



petitioner Vijay Yadav is informant. Learned counsel for the petitioner further submits that there is no specific allegation upon the petitioner regarding firing upon the deceased. He further submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner and petitioner is languishing in judicial custody since 02.07.2019.

In the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, VIth Gaya in connection with Chakand Police Station Case No. 124 of 2018, subject to the conditions that:

(I) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(II) 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.



(III) 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.

(Anjani Kumar Sharan, J)

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