

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 69177 of 2019

Arising Out of PS. Case No.-263 Year-2019 Thana- GRIYAK District- Nalanda

Karu Yadav @ Karu @ Birendra Yadav aged about 52 years (Male) Son of Late Dodan Yadav Resident of Village- Barchhi Bigaha, Police Station- Giriyak, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhoy Kumar Kashyap

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 25-11-2019 Heard learned counsel for the parties.

The petitioner seeks bail in Giriyak P.S. Case No. 263 of 2019 registered for the offence under Section 307 & other allied sections of the Indian Penal Code and Section 27 of the Arms Act.

It is submitted on behalf of the petitioner that there is case and counter case in between the parties and both sides sustained injuries. So far as this petitioner is concerned, there is only allegation against him that he was also present at the place of occurrence with *lathi* alongwith main accused, who gave fire-arm injury to one Prabhat Yadav (nephew of the informant). It is further submitted that as per Annexure – 2, which is injury report, only one injury has been found on the person of the injured, caused by fire-arm, to be simple in nature.



In this case, chargesheet has also been submitted and as such, there is no chance of tampering with the evidence. Petitioner is in custody since 23-07-2019.

Considering the aforesaid facts and circumstances as well as considering the fact that only one injury has been found, which is simple in nature, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Bihar Sharif, District Nalanda in connection with Giriyak P.S. Case No. 263 of 2019 on the following conditions:

(1) Petitioner shall cooperate 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 on her absence on two consecutive dates without sufficient reason, her bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J.)

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