

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7099 of 2020**

Arising Out of PS. Case No.-301 Year-2018 Thana- BEGUSARAI MUFFASIL District-
Begusarai

SUNIL YADAV S/o Rajaram Yadav R/o village- Shantinagar Suja, P.S.-
Muffasil, District- Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Murlidhar Mishra, Advocate
For the State	:	Mr. Anand Kishore Choudhary, APP
For the informant	:	Mr. Binod Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-10-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For
Orders' under the orders of Hon'ble the Chief Justice.

The bail application of the petitioner was rejected
vide Annexure 1 to the present application by a co-ordinate
Bench of this Court with an observation to renew his prayer for
bail after a period of six months. In the light of the observation
made by the co-ordinate Bench, the present application has been
filed.

Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner seeks bail in a case instituted for the



offences under Sections 323, 379, 387, 504, 307/34 of I.P.C. and 27 of the Arms Act.

Prosecution case, in short, is that on the order of co-accused Rajaram Yadav, the petitioner shot fire from his pistol, which hit to the informant's nephew, due to which he fell down on the ground and thereafter he was taken to the Hospital for treatment.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 02.06.2018. He has remained in custody for more than two years. There is no allegation of tampering of witnesses alleged against the petitioner.

A report was called for from the trial court regarding the stage of the case. It has been reported that charge sheet witnesses have been examined in this case. The material exhibit like bullet removed by the medical operation from the brain of the victim has not been produced. For the said reason the trial is pending and also due to lockdown to combat COVID-19 pandemic.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioner is named in the F.I.R.

Considering the observation made by a co-ordinate



Bench of this Court and the petitioner has remained in custody for more than two years, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge 10, Begusarai in connection with S.Tr. No.52 of 2019 arising out of Begusarai Muffasil P.S. case No.301 of 2018.

(Sudhir Singh, J)

Narendra/-

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