

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17370 of 2020

Arising Out of PS. Case No.-214 Year-2019 Thana- BIHPUR District- Bhagalpur

ANGRAJ YADAV S/o Late Abhimanyu Yadav R/o village- Balha, P.S.-
Bihpur (Bhawanipur), District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 21-09-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel appearing for the petitioner and Shri Choubey Jawahar, learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Bihpur (Bhawanipur) P.S. Case No. 214 of 2019 for the offence punishable under Sections 147, 148, 149, 323, 333, 338, 307 and 385 of the Indian Penal Code and Section 27 of the Arms Act.

The case of the prosecution in brief is that while the informant was taking supper at the door of his house, in the meantime, the accused persons variously armed had arrived



there, whereafter they had abused the informant and had also opened firing upon the informant.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted that though the petitioner is accused in two other cases but he is on bail in both the cases. It is also stated that similarly situated co-accused person has already been granted bail by a coordinate Bench of this Court vide order dated 04.03.2020 passed in Criminal Misc. No. 9124 of 2020. Lastly, it is submitted that a general and omnibus allegation has been levelled against the petitioner herein and the petitioner is ready and willing to abide by such conditions as may be deemed fit and proper to be imposed by this Court for the purposes of grant of bail.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner as also taking into account the fact that a general and omnibus allegation has been levelled against all the accused persons regarding firing on the informant as well as considering the parity of the case of the petitioner with that of



the co-accused person, who has already been granted bail, by a coordinate Bench of this Court, I deem it fit and proper to direct for release of the petitioner on regular bail, however, subject to certain conditions.

Accordingly, the petitioner, above named, is directed to be released 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, Naugachia, District-Bhagalpur in connection with Bihpur (Bhawanipur) P.S. Case No. 214 of 2019.

It is further directed that the petitioner would mark his attendance before the Officer In-Charge of the concerned Police Station at 10:00 A.M. on every Monday of the week and in the event of his failure to do so on two consecutive occasion, the present privilege of bail shall stand cancelled automatically and the petitioner shall be taken into custody forthwith.

(Mohit Kumar Shah, J)

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