

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17882 of 2020**

Arising Out of PS. Case No.-22 Year-2014 Thana- KHAIRA District- Jamui

GAUTAM YADAV S/o Late Sita Ram Yadav Resident of Village- Darima,
P.S.- Khaira, Distt- Jamui

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Umesh Prasad, Advocate

For the Opposite Party/s : Mr.Veena Kumari Jaiswal,APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 04-06-2020 This application has been placed for consideration
by the order of the Hon'ble the Chief Justice through virtual
court proceeding.

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

The petitioner in the present case is seeking
regular bail in connection with Khaira P.S. Case No. 22 of
2014 registered for the offences punishable under Sections
341, 323, 448, 379/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. Learned counsel further submits that the petitioner and



the informant side are close neighbours and even though there are allegations against the petitioner and co-accused of assaulting the informant, the co-accused Indradeo Yadav and Manoj Yadav have already been enlarged on bail by the learned court below. The petitioner is in custody since 16.08.2019.

Learned APP for the State has opposed the prayer for regular bail for the petitioner.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the petitioner and the informant side are close neighbours and even though there are allegations against the petitioner and co-accused of assaulting the informant, the co-accused Indradeo Yadav and Manoj Yadav have already been enlarged on bail by the learned court below. The statement to that effect has been made in paragraph '7' and '9' of the present application, the petitioner being in custody since 16.08.2019, investigation against him is complete and there being no submission on behalf of the State that the release of the petitioner at this stage is in any way likely to interfere with the course of



trial, let the petitioner above named be released on bail on furnishing of bail bonds o of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Ist, Jamui in connection with Khaira P.S. Case No. 22 of 2014, subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, oft he commission of which he is suspected, and

(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities



concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

This application stands disposed of.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

