

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19019 of 2020

Arising Out of PS. Case No.-165 Year-2019 Thana- SAHARSA District- Saharsa

Raj Kishore Yadav S/o Khiran Yadav Resident of Refusee Colony, Near
Barier, P.S.- Saharsa, Distt- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Harun Quareshi

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 13-07-2020 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State through video-conferencing.

Sole petitioner prays for bail in Saharsa Sadar P.S.
Case No. 165 of 2019, registered for the offence under Section
307 & other allied sections of the Indian Penal Code as well as
Section 27 of the Arms Act.

The prosecution case, in brief, is that 7 named and 10-
11 unknown persons, including the petitioner, lashed with
deadly weapons, came at the house of the informant and told to
vacate the land or to give *Rangdari* and started cutting Jack-fruit
(*Katahal*) tree, which was objected by the informant, thereafter,
some of the accused started firing on the informant, and in this
way, the informant received one fire-arm injury on his waist.

It is submitted on behalf of petitioner that petitioner is
in custody since 05-02-2020, having no criminal antecedent.
The petitioner has falsely been implicated in this case. There is



general and omnibus allegation. It is further submitted that some other co-accused have already been granted bail by this Court, vide order dated 22-10-2019 passed in Cr.Misc. No. 66763 of 2019, order dated 20-05-2019 passed in Cr.Misc. No. 33166 of 2019 and order dated 06-08-2019 passed in Cr.Misc. No. 47384 of 2019 (Annexure 2 series).

Considering the aforesaid facts and circumstances, the bail application is allowed.

Let the above-named petitioner 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 learned C.J.M., Saharsa in connection with Saharsa Sadar P.S. Case No. 165 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 his absence on two consecutive dates without sufficient reason, his 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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