

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 18783 of 2020

Arising Out of PS. Case No.-48 Year-2014 Thana- FULKAHA District- Araria

Nunu Lal Yadav S/o Basudeo Yadav Resident of Village- Laxmipur, P.S.-
Fulkaha, Distt- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh

For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-06-2020 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State through video conferencing.

This relates to grant of bail in Fulkaha P.S. Case No.
48 of 2014, registered for the offence under Sections 302/201/34
of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, as per F.I.R., is that the son of
informant had gone for easing, but he did not return. Thereafter,
during course of search, the informant saw that his son was
lying dead in the field of one Neelanand Yadav due to gun shot
injury.

It is submitted on behalf of petitioner that petitioner is
not named in the F.I.R. There is no eye-witness to the alleged
occurrence. It is further submitted that the case is registered in
the year 2014 and the police has filed requisite for warrant of
arrest against petitioner on 08-07-2019, whereas, the petitioner
has no concern with the alleged occurrence. Petitioner is in



custody since 01-02-2020.

However, counsel for the State has vehemently opposed the prayer for bail and submits that during investigation, petitioner's name has surfaced and as such, he may not be granted bail.

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 Mr. S.K. Mishra, J.M. 1st Class, Araria/concerned court in connection with Fulkaha P.S. Case No. 48 of 2014 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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