

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24589 of 2020

Arising Out of PS. Case No.-20 Year-2020 Thana- PARAIYA District- Gaya

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Pramod Yadav, Son of Rajnath Yadav, Resident of Village- Isharpur, P.S.-
Paraiya, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 12-10-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

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

The petitioner seeks bail in connection with Paraiya P.S. Case No.20 of 2020 registered for the offence punishable under Sections 147, 148, 149, 307, 379 and 411 of the Indian Penal Code and Section 27 of the Arms Act.

Manager of the Company, who had acquired lease for



sand mining, has lodged the case. It is alleged that some persons were illegally lifting sand and when objection was being raised, the accused persons along with some unknown persons came and indulged in indiscriminate firing.

Petitioner's counsel submits that the allegations are false and motivated. No such occurrence has taken place. No weapon has been recovered from the petitioner nor there is recovery of any incriminating material. There is no allegation that the firing has led to any injury to anyone. Petitioner's implication is based solely on his criminal antecedents and he is in custody since 28.01.2020.

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

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, 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 the learned Additional Chief Judicial Magistrate-III, Gaya, in connection with Paraiya P.S. Case No.20 of 2020, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an



affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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