

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24698 of 2020**

Arising Out of PS. Case No.-148 Year-2018 Thana- SARE District- Nalanda

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GUDDU YADAV @ GUDDU KUMAR S/o Late Subelal Yadav Resident of
Village- Ali Nagar, P.S.- Sare, District- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satya Prakash

For the Opposite Party/s : Mr. Nagendra Prasad

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 24-09-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsel are appearing and making submissions from their residence. The Court master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

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

Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

The petitioner seeks bail in Sare P.S. Case no. 148 of



2018 instituted for the offence under Section(s) 147,148,149,341,323,307,504 and 506 of the IPC. Later on Section 302 of the IPC was added.

The prosecution case is that the petitioner along with other named accused persons have threatened and assaulted the father of the informant. Subsequently, the father of informant has died

Petitioner's counsel submits that no specific overt act has been alleged against the petitioner. There is nothing on record to show that the petitioner had demanded *Rangdari* from Guddu Yadav. The informant himself was a drunkard and accused in Sare P.S. Case no. 3 of 2019. The other co-accused persons, namely, Gautam Yadav having similar allegation has been allowed bail in Cr. Misc. no. 74048 of 2019.

The learned APP has opposed the prayer for bail by submitting that petitioner along with others has committed the assault.

Considering the aforesaid, 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 CJM Nalanda, Bihar Sharif in connection with Sare P.S. Case no. 148 of 2018, 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.

(Madhuresh Prasad, J)

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