

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 26315 of 2020**

Arising Out of PS. Case No.-167 Year-2020 Thana- LAKHISARAI District- Lakhisarai

RUDAL YADAV Son of Suresh Yadav Resident of Village- Mohanpur, P.S.-
Pipariya, District- Lakhisarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr Ramakant Sharma, Sr Advocate with Mr Rakesh Kumar Sharma, Advocate
For the Opposite Party/s	:	Mr Sunil Kr Pandey, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 13-10-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsels 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 the learned APP for the State.

The petitioner seeks bail in Luckeesarai Police Station (for brevity, PS) Case No 167 of 2020 dated 11.03.2020 instituted for the offence punishable under Sections 302, 120B/34 of Indian Penal Code and Sections 25 (1-b) a, 26 (i), 27



of Arms Act.

Prosecution case is that the informant's father has been shot at by named accused persons who came on Pulsar motorcycle. It is submitted by the learned Senior Counsel for the petitioner that one Rahul Kumar, in his confessional statement, stated about the petitioner's complicity in the conspiracy. The petitioner's own confessional statement and the confessional statement of co-accused form the basis of petitioner's implication. The informant as well as father of deceased are accused mentioned in several cases and the enmity of the deceased with accused persons have been highlighted by the prosecution, with which the petitioner has no concern. The petitioner is in custody since 17.03.2020.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Luckeesarai in Luckeesarai PS Case No 167 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.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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