

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23936 of 2020

Arising Out of PS. Case No.-26 Year-2020 Thana- BHARGAMA District- Araria

SHYAM SUNDER YADAV @ SHYAM SUNDER KUMAR Son of Triveni
Yadav Resident of Village - Koriyapatti, P.S.- Zadia, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Adv.

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 09-11-2020 Heard Mr. Mukesh Kumar Rana, learned counsel for

the petitioner and Mr. Ram Anurag Singh, Additional Public

Prosecutor for the state through video conferencing.

2. Petitioner seeks regular bail in connection with
Bhargama PS Case No. 26/2020 registered for the offence
punishable under Section 394 of the IPC and Section 27 of the
Arms Act.

3. The allegation as per First Information Report is
that on 24.02.2020 in the evening, while the informant was in
his office, four unknown miscreants entered into the office of
the informant with fire arms and on the point of fire arms looted
away cash of Rs. 76,065/- and two mobile phones and while
fleeing away they opened fire in the air also.

4. Learned counsel for the petitioner submits that the



petitioner is not named in the FIR and his name has transpired on the basis of information received by the police from a spy. Learned counsel for the petitioner further submits that confessional statement of the petitioner was recorded by the police but no incriminating material has been recovered from his possession and petitioner was also not put on the test identification parade.

5. Learned counsel next submits that similarly situated co-accused, Sanjay Ram @ Sanjeet Ram has been granted regular bail by this Court in Cr. Misc. No. 23134/2020 vide order dated 02.11.2020.

6. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that similarly situated co-accused, Sanjay Ram @ Sanjeet Ram has been granted bail by this Court, I am inclined to grant regular bail to the petitioner subject to the conditions that (1) petitioner shall co-operate in the trial and shall properly be 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.

7. Accordingly, let the petitioner, SHYAM SUNDER YADAV @ SHYAM SUNDER KUMAR 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 Sri Rajesh Ranjan, learned Judicial Magistrate, 1st Class, Araria in connection with Bhargama PS Case No. 26/2020.

8. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines of social distancing.

(Anil Kumar Sinha, J)

perwez

U		T	
---	--	---	--

