

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24359 of 2020

Arising Out of PS. Case No.-124 Year-2020 Thana- SUPAUL District- Supaul

SANTOSH YADAV S/o Late Chandeshwari Yadav Resident of Village-
Balwa, Police Station-Supaul, District-Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar, Advocate.

For the Opposite Party/s : Mr. Amitesh Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 13-11-2020 Heard Mr. Sanjeet Kumar, learned counsel for the

petitioner and Mr. Amitesh Kumar, learned Additional Public

Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with
Supaul P.S. Case No. 124 of 2020 registered for the offences
punishable under Sections 144, 149, 341, 323, 504, 506 of the
Indian Penal Code 1860 and Section 27 of the Arms Act.

The allegation as per the First Information Report is
that while the informant was collecting his due amount, the
petitioner arrived there and assaulted the informant. Thereafter,
at about 1:00 p.m. the petitioner along with other co-accused
persons came at the place of occurrence and made
indiscriminate firing and, further, the petitioner assaulted the
informant on his head by iron rod and tried to snatch the



collected money, but not succeeded. It has further been alleged that one Motorcycle bearing registration No.BR-19-F-6476 was recovered from the place of occurrence which was left by the accused persons while they were fleeing away.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case with oblique motive. Learned counsel further submits that during course of investigation no material has come against the petitioner to connect him in the present offence and no injury has been found on the person of the informant as there is no injury report in the entire case diary. Learned counsel also submits that the Motorcycle which was allegedly recovered from the spot, does not belong to the petitioner but the same belonged to one Gautam Gobinda and the same is not subject matter of any criminal case. Learned counsel next submits that petitioner is in custody since 17.04.2020.

On the other hand, learned counsel for the State referring to the case diary submits that it is true that there is no injury report in the entire case diary. However, the petitioner is named in the First Information Report and he is having criminal antecedents.



Having heard learned counsel for the parties and taking into consideration the materials on record, the fact that the petitioner is in custody since 17.04.2020 and during course of investigation it appears that no injury has been brought on record, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul, in connection with Supaul P.S. Case No. 124 of 2020.

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

(Anil Kumar Sinha, J)

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