

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25516 of 2020

Arising Out of PS. Case No.-96 Year-2020 Thana- DUMRAO District- Buxar

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Dinesh Yadav, S/o Late Shiv Prasad Yadav, Resident of Village-Nandan
Rambriksh Ke Dera, P.S.-Dumraon, District-Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Yogesh Chandra Verma, Sr. Advocate Mr. Chandra Mohan Singh, Advocate
For the State	:	Smt. Pushpa Sinha, APP
For the Informant	:	Mr. Satyapal Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 28-09-2020 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 Mr. Yogesh Chandra Verma, learned Senior Counsel appearing for the petitioner and the learned APP for the State as well as the learned counsel for the informant.

The petitioner seeks bail in connection with Dumraon P.S. Case No.96 of 2020 registered for the offence punishable under Sections 147, 148, 149, 341, 323, 325, 302, 504 and 307



of the Indian Penal Code.

Six named, including the petitioner, have allegedly assaulted the victim. Altogether nearly 40 persons have been accused.

Mr. Yogesh Chandra Verma, learned Senior Counsel appearing for the petitioner submits that the allegations are general and vague. No specific assault has been attributed to the petitioner and by one sweep, the persons with who the informant has pre-existing dispute have falsely been implicated. Even the post-mortem report does not corroborate the assault by six persons as two injuries have been found on the victim. The petitioner is having no criminal antecedents and is in custody since 11.03.2020. Charge sheet has also been submitted.

Learned APP for the State and the learned counsel for the informant have vehemently opposed the prayer for bail. It is submitted that the petitioner along with other accused persons have caused fatal injuries.

Considering the rival submissions, this Court is inclined to allow 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 Chief Judicial Magistrate, Buxar or successor court, in connection with Dumraon P.S. Case No.96 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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