

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27823 of 2020

Arising Out of PS. Case No.-94 Year-2019 Thana- MAHISHI District- Saharsa

SUBHAS YADAV S/o Bidyanand Yadav @ Bido Yadav Resident of Village-
Sukhasani, Police Station-Simri Bakhtiyarpur, District-Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rashmi Jha, Adv.

For the Opposite Party/s : Mr. Indiwari Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 11-11-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State through virtual court
proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 147, 148, 149, 341, 342, 307
and 504 of the Indian Penal Code and Section 27 of the Arms
Act.

It is submitted by the petitioner's counsel, referring to
the allegations made in the first information report, that the
petitioner's fire shot did not hit the victim and that the victim
suffered injuries on account of a firing done by co-accused
Pankaj Yadav. There is no specific allegation against the
petitioner. He submits that no incriminating article has been



recovered from the possession of the petitioner. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by coordinate Bench of this Court in Cr. Misc. No. 52570 of 2019 on 16.11.2019 and petitioner is languishing in judicial custody since 22.01.2020.

In the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Saharsa in connection with Mahisi Police Station Case No. 94 of 2019 subject to the conditions:

(I) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(II) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.

(III) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty



to move for cancellation of bail of the petitioner.

(Anjani Kumar Sharan, J)

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