

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23855 of 2020

Arising Out of PS. Case No.-66 Year-2019 Thana- NAUHATTA District- Saharsa

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LALJEE YADAV S/o Late Lochan Yadav Resident of Village- Narayanpur,
P.S.- Nauhatta, Distt- Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh
For the Opposite Party/s : Mr. Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 16-10-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsel 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 learned APP for the State .

Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

Petitioner apprehends his arrest in connection with



Nauhatta P.S. Case no. 66 of 2019 instituted for the offence under Sections 147,148,149, 341, 323, 307, 354A, 354B, 379, 504 of the IPC and Section 27 of the Arms Act.

Allegation as per F.I.R. is that petitioner and other accused persons came variously armed and assaulted the informant and also made indiscriminate firing. Specific allegation is against Hari Nandan Yadav and Raj Kishor Yadav.

Submission of learned counsel for the petitioner is that there is case and counter case between the parties and no specific allegation has been attributed to the petitioner. It is also submitted by the petitioner's counsel that till date there is no process under Section 82 Cr. P. C.

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

Considering the aforesaid facts, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner before the court below, named above, within four (04) weeks from today, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the J.M. Ist Class, Saharsa, in connection with Nauhatta P.S. Case no.66 of 2019 ,subject to the conditions as



laid down under Section 438(2) Cr. P.C. 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.

(Madhuresh Prasad, J)

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