

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24259 of 2020**

Arising Out of PS. Case No.-92 Year-2020 Thana- GAUTAMBUDHNAGAR District- Siwan

Pradeep Yadav S/o- Late Sukhdev Yadav @ Sukdev Yadav Resident of
Village- Dindayalpur, P.S.- G.B. Nagar (Tarwara), District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suresh Mishra

For the Opposite Party/s : Mr.A.Dayal,APP.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 23-09-2020 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in G.B. Nagar P.S. Case No.
92 of 2020 (G.R. No. 1539 of 2020), registered for the offence
punishable under Sections 341, 323, 34, 307, 504 & 506 of the
Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, on 24-04-2020 at about
7:30 PM while the informant was returning home, this petitioner
alongwith one co-accused Shiva Giri intercepted him and started
abusing, which was objected by the informant, thereafter, co-
accused took out pistol from his waist and fired upon the
informant, which hit the informant and he fell down and both
accused fled away from their motorcycle. It is further alleged
that two days ago, this informant had scolded both accused for
moving around a girl.

It is submitted on behalf of petitioner that as per



F.I.R. itself, allegation of firing and causing fire-arm injury is against co-accused Shiva Giri and petitioner was simply accompanying him. There is no allegation of overt act against this petitioner. The petitioner has got clean antecedent and he is in custody since 30-04-2020.

Considering the aforesaid facts and circumstances, the bail application of petitioner is allowed.

Let the above-named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-XI, Siwan in connection with G.B.Nagar P.S. Case No. 92 of 2020, on the following conditions:

“(1) Petitioner shall cooperate 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 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.”.

(Prabhat Kumar Singh, J.)

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