

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24598 of 2020

Arising Out of PS. Case No.-414 Year-2019 Thana- SAUR BAZAR District- Saharsa

Pankaj Yadav, Son of Shri Parmeshwari Yadav @ Parmeshwari Prasad Yadav,
Resident of Village - Arraha, P.S. - Sour Bazar, District - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrit Abhijat, Advocate
For the Opposite Party/s : Mr. Tarkeshwar Nath, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 12-10-2020 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 learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Sour Bazar (Bajinathpur O.P.) P.S. Case No.414 of 2019 registered for the offence punishable under Section 302/120B of the Indian Penal Code and Section 27 of the Indian Arms Act, 1959.

The informant's father was shot at, whereafter he



succumbed to injuries on way to hospital.

Petitioner's counsel submits that the implication of the petitioner is based on extraneous considerations. The petitioner is not named in the F.I.R. and on suspicion based on description of the perpetrators by the people of the locality, he has been implicated. In investigation, son of the deceased in his statement has stated that the firearm injury was caused by the co-accused. The deceased had taken money from several persons for arranging a job. Co-accused Devanand Yadav has been allowed bail in Cr.Misc. No.11347 of 2020. There is no allegation of the petitioner hampering the investigation.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the 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, Saharsa, in connection with Sour Bazar (Bajnathpur O.P.) P.S. Case No.414 of 2019, 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)

PNM

U		T	
---	--	---	--

