

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30032 of 2020**

Arising Out of PS. Case No.-39 Year-2020 Thana- DUMRAO District- Buxar

Kanhaiya Yadav @ Golu Yadav @ Kanahiya Yadav S/o Narayan Yadav
Resident of Village-Pratap Sagar, P.S.-Dumraon, District-Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan

For the Opposite Party/s : Mr.A.P.P.

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

2 24-11-2020 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in Dumraon (Naya Bhojpur)
P.S. Case No. 39 of 2020, registered for the offence punishable
under Section 307 & other allied sections of the Indian Penal
Code and Section 27 of the Arms Act.

As per prosecution case, on 04-02-2020 at about 10
AM while the brother of informant was sitting in his shop, this
petitioner alongwith co-accused Chunnu Yadav came there and
started indiscriminate firing, as a result of which, his brother
sustained bullet injury in the knee of his left leg. It is further
alleged that when the informant came to save his brother, co-
accused Chunnu Yadav fired on him, which hit on the knee of
his right leg.

It is submitted on behalf of petitioner that there is



general and omnibus allegation. So far as this petitioner is concerned, specific allegation of firing is against co-accused Chunnu Yadav. Petitioner has got clean antecedent, as stated in paragraph – 3 of the petitioner and he is in custody since 22-02-2020. Chargesheet has already been submitted.

Considering the aforesaid facts & 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 C.J.M., Buxar in connection with Dumraon (Naya Bhojpur) P.S. Case No. 39 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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