

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73871 of 2019

Arising Out of PS. Case No.-79 Year-2018 Thana- BASANHI District- Saharsa

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HEERA YADAV @ HEERA LAL YADAV @ HIRA YADAV, Son of Late Chandeshwari Yadav, Resident of Village - Nasi Tola Mangwar, Ward No.1, P.S.- Basnahi, Dist.- Saharsa (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar Mukund

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 19-02-2020 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Basnahi P.S. Case No. 79 of 2018 registered for the offences punishable under Sections 147, 148, 149, 307, 302, 385 of the Indian Penal Code.

Informant in his written complaint has alleged that while his father was at the flour mill the petitioner along with FIR named accused variously armed with firearms, demanded rangdari and when he refused he was assaulted and accused persons started firing out of which 2 bullet hit his father on account of which he died.

Petitioner has earlier moved this Court for bail vide



Cr. Misc. No. 5497 of 2019 which was rejected on 07.03.2019. Similarly placed co-accused have been granted bail by this court and co-ordinate bench of this court vide order dated 07.12.2018 in Cri. Misc. No. 71883 of 2018, 06.12.2018 in Cri. Mic. No. 72143 of 2018 and 07.03.2019 in Cri. Misc. No. 5497 of 2019. Petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction where the case is pending in connection with Basnahi P.S. Case No. 79 of 2018 with following conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and valid reason trial court shall have liberty to cancel his bail bond.
- (3) 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.

(S. Kumar, J)

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