

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83242 of 2019

Arising Out of PS. Case No.-80 Year-2015 Thana- MANSI District- Khagaria

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Dharo Yadav Son of Late Pulis Yadav Resident of Village- Thatha, P.S.-
Mansi, District- Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Bishweshwar Ram, Advocate
For the Opposite Party : Mr.Ashok Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 27-05-2020 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is in custody in connection with
Session Trial No. 223 of 2018 arising out of Supplementary
Mansi P.S. Case No. 80 of 2015 for the offence under Sections
307, 302 and 120B/34 of the Indian Penal Code and Section 27
of the Arms Act.

The allegation against the petitioner is that the
petitioner and 4-5 unknown persons made indiscriminate firing
on the husband of the informant. The husband of the informant
died after sustaining firearm injuries. There is specific allegation
of firing against accused Awadh Yadav and Banti Yadav.

Learned counsel for the petitioner submits that co-
accused Banti Yadav has been granted anticipatory bail by a



coordinate Bench of this Court vide order dated 22.06.2018 passed in Cr. Misc. No. 25642 of 2018. So far as deceased is concerned, he was a notorious criminal and had committed several crimes and he was named in nine cases of heinous nature in Khagaria and Saharsa Districts. Charge has been framed against the petitioner in this case. Petitioner is in custody 07.06.2017

Considering the period of custody of the petitioner, the Court is inclined to grant bail to him. The petitioner, named above, is directed to be released on bail on furnishing his personal bond to the satisfaction of the Court of Fast Track-II, Khagaria in connection with Session Trial No. 223 of 2018 arising out of Supplementary Mansi P.S. Case No. 80 of 2015, due to the circumstance of total lockdown on account of the pandemic of COVID-2019 subject to the condition that the petitioner shall extend full cooperation in conclusion of the trial. In any event the petitioner terrorizes witnesses and gets the trial delayed in disposal of the same, the trial court shall be at liberty to cancel his bail bond.

(Anil Kumar Upadhyay, J)

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