

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13056 of 2021

Arising Out of PS. Case No.-207 Year-2020 Thana- PARBATTa District- Khagaria

Punil Yadav @ Sunil Yadav aged about 45 years, (Male) son of late Devi Yadav, Resident of village- Devri Police Station Parbatta (Marraiya) District- Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opp Party

Appearance :

For the Petitioner	:	Mr. Praveen Kumar Agrawal Advocate
For the State	:	Mr. Meena Singh APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 09-07-2021 In view of the sudden resurgence of Covid-19 infection, there is limited functioning of the High Court and, therefore, the matter has been listed today for consideration through virtual mode.

2 Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

3. Heard learned counsel for the petitioner and learned counsel for the State

4. The petitioner seeks bail in Parbatta PS Case No. 207 of 2020, instituted for the offence under Sections 147,148,149,323,324,326,307,302, 354A and 427 of the Indian Penal Code.

5. The informant has alleged that along with the co-accused persons the petitioner has come to the place and started cutting the bamboo. On objection being raised, it is alleged that the accused persons have assaulted the informant and in the process one death has also occurred. There is also allegation of molesting the women folk of the prosecution side.



6. The learned counsel for the petitioner submits that the petitioner has no criminal antecedents. From perusal of the FIR, it is evident that specific allegation of assault and molestation has been made against co-accused persons by name. Against the petitioner, there is no specific allegation and he, at best, is member of the unlawful assembly. He is in custody since 15.06.2020. Co-accused, namely, Kishore Yadav and Nunulal Yadav have been allowed bail in Cr. Misc. No. 39786 of 2020.

7. The learned APP representing the State has opposed the prayer for bail.

8. Considering the rival submissions, 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 **Session Judge, Khagaria**, in connection with in **Parbatta PS Case No. 207 of 2020, Sessions Trial No. 110 of 2020**, 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.

(Madhuresh Prasad, J)

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