

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13232 of 2021

Arising Out of PS. Case No.-309 Year-2020 Thana- SAUR BAZAR District- Saharsa

MANOJ YADAV Son of Lalkun Yadav Resident of Village - Kavilisi
(Indarwa), P.S.- Sour Bazar, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shiva Shankar Sharma, Adv.
For the Opposite Party/s	:	Mr. Amar Nath Jha, Adv.
For the State	:	Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 18-08-2021 In view of sudden resurgence of COVID-19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioner, learned counsel for the informant and the learned APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Sour Bazar PS Case No. 309 of 2020, registered under Sections 147, 148, 149, 341, 323, 302, 120(B), 504 of the Indian Penal Code and Section 27 of Arms Act.



It is alleged that informant's uncle had gone from his house, thereafter he has been done to death by 13 named accused persons and 5 unknown persons. Petitioner is one amongst the named accused.

Learned counsel for the petitioner submits that specific allegation of assault has been attributed against co-accused Nirmanl Kumar @ Angil and Survesh Kumar. The same stands corroborated by the post-mortem report also. Petitioner has been roped in this case based on general and omnibus allegations and he is in custody since 07.08.2020 having no criminal antecedent.

Learned counsel for the informant and learned APP have opposed the prayer for bail and have stated that petitioner is a named accused.

Considering the rival submissions as also the period of custody, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner above named 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 Chief Judicial Magistrate, Saharsa, in Sour Bazar PS Case No. 309 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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