

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15322 of 2021**

Arising Out of PS. Case No.-22 Year-2020 Thana- SHAMBHUGANJ District- Banka

DABLU YADAV @ JAYANT KUMAR YADAV Son of Late Putilal Yadav
Resident of Village - Manjhgaon, P.S.- Shambhuganj, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Pankaj Kumar, Advocate
For the Opposite Party/s :	Mr.N.Hoda, Addl Public Prosecutor
	Mr. SN Singh, Advocate

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

4 23-08-2021 Heard learned counsel for the petitioner, the State and the informant.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 307/34 and other ancillary sections of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, while the informant was dancing in a marriage party, the petitioner called his friends and resorted to indiscriminate firing, as a result of which the informant sustained injuries.

Learned counsel for the petitioner submits that in fact no such occurrence took place as alleged in the FIR and during the marriage function, a dispute arose because of people dancing to



the musical tune and there was a fight between two groups and with the intervention of villagers the dispute was settled. It is also submitted that the informant received one injury which was simple in nature caused by hard and blunt substance. Petitioner is in custody since 19.12.2020. Similarly situated co-accused has already been allowed bail by a co-ordinate bench of this Court vide order passed in Cr.Misc.No. 3958/2021.

Learned counsel appearing for the State and the informant oppose the prayer for bail submitting that the petitioner and his friends made indiscriminate firing as a result of which informant sustained injury.

Considering the facts and circumstances of the case, let the petitioner as named above be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-IV, Banka in Shambhuganj Police Station Case No. 22 of 2020 on the following conditions:-

(1) Petitioner shall co-operate 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/her absence on two consecutive dates without sufficient reason, his/her 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)

Shashi

U		T	
---	--	---	--

