

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4375 of 2020

Arising Out of PS. Case No.-171 Year-2018 Thana- PARAIYA District- Gaya

Satte Yadav, aged about 40 years, Male, Son of Rambriksh Yadav @
Rambriksh Prasad Resident of Village - Solara, P.S.- Paraiya, Distt - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No 2, Advocate

For the Opposite Party/s : Mr.Ashraf Ansari, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

6 27-07-2021 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.

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.

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

The petitioner seeks bail in Paraiya PS Case No. 171 of 2018, instituted for the offence under Sections 147,148,149,302, 341, 342 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

12 named accused persons have allegedly surrounded the informant's husband. It is alleged that three persons have allegedly caught hold of the victim while the petitioner and co-accused, namely, Sanjay Yadav and Santosh Yadav have fired



upon the deceased. The co-accused, namely, Sanjay Yadav and Santosh Yadav, similarly situated as the petitioner, as per allegation, have been allowed bail in Cr. Misc. Nos. 75038 of 2019 and 37650 of 2019 respectively. The victim was a history sheeter having many criminal cases and the manner in which the prosecution story has been narrated in the F.I.R. is clear indication of its falsity. The petitioner is in custody since 14.05.2019. He is on bail in Paraiya P.S. Case No. 109 of 2013 which is a case registered under the Excise Act.

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

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 **Additional Chief Judicial Magistrate-III, Gaya,** in connection with **Paraiya PS Case No. 171 of 2018,** 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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