

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17878 of 2021**

Arising Out of PS. Case No.-18 Year-1989 Thana- MARAUNA District- Supaul

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SHANKAR YADAV SON OF ADHIK LAL YADAV RESIDENT OF
VILLAGE- MANGA SIHAUL, P.S. MARAUNA, DISTRICT- SAHARSA

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 24-09-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Raj
Ballabh Singh, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in

connection with S.T. No. 102 of 2018 arising out of Marauna

P.S. Case No. 18 of 1989 registered for the offences punishable

under Section 341, 323, 447, 436 of the Indian Penal Code and

Section 24 of the C.T. Act. He is in custody since 29.11.2020

and he has got no criminal antecedent.

Learned counsel for the petitioner submits that it is a

case of misuse of privilege of bail and the petitioner had jumped

the bail granted to him earlier in the year 2011. Learned counsel submits that the petitioner is a poor person and the kind of social strata seen from the allegations from the F.I.R. where in course of grazing buffaloes a fight seems to have broken between the parties which led to the alleged occurrence.

Learned counsel submits that the petitioner is a poor person and in order to earn his livelihood he had gone to the State of Punjab and in his absence because the Advocate Clerk could not do the proper pairvi, his bail bond was cancelled and he has remained under the impression that the case is being duly attended which has resulted in delay in surrendering before the court.

Learned counsel submits that he has instruction to say that now all the accused persons have appeared and charges have been framed in this case and witnesses have been summoned by the learned trial court. It is his submission that if released on bail the petitioner shall attend the trial on each and every date fixed in the matter. He has offered that two near relations of the petitioner shall stand as bailors.

Mr. Raj Ballabh Singh, learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner, considering the facts and circumstances of the case and the submissions

hereinabove, this Court directs release of the petitioner on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Supaul in connection with S.T. No. 102 of 2018 arising out of Marauna P.S. Case No. 18 of 1989 subject to the condition as laid down under Section 437 (3) Cr.P.C.

Both the bailors shall be family members of the petitioner and the petitioner shall attend the trial on each and every date fixed in the matter. Two consecutive failure to attend the trial shall lead to cancellation of bail of petitioner.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.