

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.21123 of 2021**

Arising Out of PS. Case No.-698 Year-2020 Thana- SUPAUL District- Supaul

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PRADEEP YADAV Son of Sudheesh Yadav Resident of Mohalla- Kharail
Poornavaas, Ward No.16, P.S. and District- Supaul.

... .. 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.Md.Fahimuddin,APP

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

2 12-08-2021 Learned counsel for the petitioner undertakes to remove

all the defects pointed out by the Stamp Reporter within four weeks

after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Fahimuddin, learned APP for the State.

The petitioner in the present case is seeking regular bail in
connection with Supaul P.S. Case No. 698 of 2020 registered for the
offences punishable under Sections 147, 148, 149 and 302 of the
Indian Penal Code.

Learned counsel for the petitioner submits that in the First
Information Report there are general and omnibus allegations against
altogether 16 named and some unnamed persons. There are general
and omnibus allegations that they had assaulted the brother of the
informant by sharp cutting weapons, knife and gupti.

Learned counsel submits that considering the general and

omnibus kind of allegation, this Court had been pleased to grant privilege of regular bail to co-accused Alok Kumar @ Sonu Kumar in Cri. Misc. No. 20967 of 2021.

It is further submitted that this petitioner has remained in jail in connection with this case though he is not named in the First Information Report and there is no specific allegation against him, he has remained in custody for more than 10 months, investigation against him is complete but the trial is not likely to take place in near future. The petitioner has declared one criminal antecedent in paragraph '3' in which he is said to be on bail.

Learned APP for the State has though opposed the prayer for regular bail of the petitioner but considering the facts and circumstances of the case and the materials which are discussed in the order of this Court passed in the case of co-accused in Cri. Misc. No. 20967 of 2021, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul in connection with Supaul P.S. Case No. 698 of 2020, subject to the conditions as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission

of which is suspected, and

(c) that such persons shall not directly or indirectly make and inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(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'.