

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9591 of 2020

Arising Out of PS. Case No.-132 Year-2018 Thana- PHULPARAS District- Madhubani

OM PRAKASH YADAV @ OM YADAV S/o Suraj Narayan Yadav @ Surya Narayan Yadav Resident of Village- Navtol, P.S.- Phulparas, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No 13

For the Opposite Party/s : Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-08-2021 This matter is taken up for consideration through Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of bail in a case registered for the offence punishable under sections 307, 504, 506 and other allied sections of the Indian Penal Code as well as section 27 of the Arms Act.

As per prosecution case, this petitioner along with 11 FIR named accused persons variously armed surrounded and assaulted the informant and also made indiscriminate firings upon him.

It is submitted on behalf of petitioner that petitioner has been implicated in this case due to village politics. Specific allegation is against co-accused Sunil Yadav who caused firearm injury below left eye of the informant. There is no specific allegation of overt-act against this petitioner. It is further submitted that



other similarly situated co-accused have been granted bail by this court vide Cr. Misc. no. 68860/2018. Petitioner is in custody since 01.07.2019.

Learned counsel for the State opposes the prayer for bail.

Considering the period of custody and the fact that similarly situated co-accused have been granted bail, this bail application is allowed. Let the petitioner 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 Sri S. Kumar, Judicial Magistrate, Ist Class, Jhanjharpur, Madhubani in Phulparas P.S. Case no. 132/2018 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 canceled 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)

s.hassan/-

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

