

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24893 of 2021

Arising Out of PS. Case No.-150 Year-2019 Thana- NATHNAGAR District- Bhagalpur

Anil Yadav Son Of Subhit Yadav Resident Of Village- Dogachhi, P.S.-
Nathnagar, Distt.- Bhagalpur ... Petitioner

Versus

The State Of Bihar ... Opposite Party

Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh, Advocate

For the Opposite Party/s : Mr. N K Pandey, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-07-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 307 and other ancillary sections of the Indian Penal Code, section 27 of the Arms Act and sections 3/4 of the Explosive Substances Act.

As per the prosecution case, on the orders of the petitioner, 14 FIR named accused persons are alleged to have hurled bomb, fired bullets and started assaulting the informant party with lathi, rods etc. as a result of which two persons sustained injuries.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Petitioner is alleged to be an order giver and no specific overt act has been alleged against him. Petitioner is in custody since 18.6.2020.

Learned counsel appearing for the State opposes the prayer for bail.



Considering the rival submissions of the parties, materials available on the record and the period of custody of the petitioner, let the petitioner, mentioned 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 Judicial Magistrate, Bhagalpur in Nathnagar Police Station Case No. 150 of 2019 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)

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