

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27151 of 2021

Arising Out of PS. Case No.-77 Year-2020 Thana- CHANPATIA District- West Champaran

UMESH YADAV @ UMESH YADWA Son of Mukhlal Yadav Resident of
Village - Kurwa Mathia Pakadihar, P.S.- Chanpatia (Kumarbag O.P.), District
- West Champaran. ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Sachida Nand Rai, Adv
For the Opposite Party : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-07-2021 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 sections 307/34 and other ancillary sections of the Indian Penal Code.

As per the prosecution case, when the informant had gone to see his field, he saw that the petitioner and other accused persons surrounded his younger brother and started assaulting him and when he tried to save him, co-accused Lalbabu Yadav assaulted him (informant) on his eyes. Petitioner and other accused persons also assaulted him by lathi, iron rod etc causing him head injury.

Learned counsel for the petitioner submits that there is land dispute between the parties and there is case and counter case in which both sides sustained injuries. Case lodged by the petitioner is earlier than the instant case. Petitioner has claimed clean antecedent and he is in custody since 9.1.2021. Charge



sheet has already been submitted.

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

Considering the rival submissions of the parties and the materials available on the record, 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 Chief Judicial Magistrate, West Champaran at Bettiah in Chanpatia Kumarbag OP Police Station Case No. 77 of 2020 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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