

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29416 of 2021**

Arising Out of PS. Case No.-273 Year-2019 Thana- MANSI District- Khagaria

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JAWAHAR YADAV S/o Late Baldeo Yadav R/o village- New Bangaliya,
P.S.- Mansi, District- Khagaria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**(The proceedings of the Court are being conducted through Video Conferencing
and the Advocates joined the proceedings through Video Conferencing from
their residence.)**

Appearance :

For the Petitioner/s : Mr.Sudish Kumar, Adv
For the Opposite Party/s : Mr.Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 31-08-2021 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 147, 148, 149, 341, 307, 302, 120(B), 504, 506 of the Indian Penal Code and 27 of the Arms Act.

The FIR would reveal that there is no allegation against the petitioner of firing at the deceased rather others had caused firearm injury and death of the brother of the informant. However, the petitioner and some others carry allegation of commission of firearm injury to Abdul Salam. Abdul Salam stated that he had sustained injury at the hands of Sachidanand Yadav. The Doctor had found injury at the hand of Abdul Salam.

Learned counsel for the petitioner submits that he is

innocent and has been falsely implicated in this case due to village politics. There is no allegation of any specific overt act against the petitioner rather the allegations are general and omnibus in nature. Petitioner was not present at the place of occurrence. Similarly, situated co-accused persons have been granted bail by co-ordinate benches of this Court vide orders dated 14.12.2020 in Criminal Miscellaneous No. 2658 of 2020, 15.09.2020 in Criminal Miscellaneous No. 11251 of 2020, 26.08.2020, 18.01.2021 in Criminal Miscellaneous No. 27178 of 2020, 19.01.2021 in Criminal Miscellaneous No. 32292 of 2020 and 10.03.2021 in Criminal Miscellaneous No. 17 of 2021.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Mansi P.S. Case No. 273 of 2019**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the

court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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