

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32139 of 2021

Arising Out of PS. Case No.-56 Year-2020 Thana- SISWAN District- Siwan

SHUBHASH YADAV Son of Late Ramayan Yadav Resident of Village-
Izara, Police Station- Siswan (M.H.Nagar), District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad, Advocate.

For the Opposite Party/s : Mrs. Rina Sinha, APP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 29-10-2021 Let the defects, if any, be removed within two weeks
of the complete start of the physical Court.

Heard the parties in virtual Court.

The petitioner is languishing in custody for the
offence punishable under Section 302/34 of the Indian Penal
Code and Section 27 of the Arms Act.

Perusal of the F.I.R. would reveal that the informant is
not an eye witness of the occurrence, however he alleges that six
persons named in the F.I.R. including the petitioner allegedly
fired at his brother Surendra Singh and Surendra Singh died
thereafter.

The doctor has found two fire arm injuries on the
person of the deceased.

Mr. Prashant Kumar, learned counsel for the



informant opposed the prayer for bail.

Considering the fact that there is no eye witness of the occurrence and petitioner is in custody since 07.08.2020 as well as the fact that there is no reason for further detention of the petitioner as under trial prisoner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Siswan (M. H. Nagar) P.S. Case No. 56 of 2020, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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