

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51601 of 2021

Arising Out of PS. Case No.-191 Year-2019 Thana- SONBERSA District- Saharsa

LALO YADAV S/O LATE NIRANJAN YADAV Resident of Rakhauta, Ward
No. 14, P.S.- Sonbarsa Raj, Distt.- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Om Prakash Prasad

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 24-11-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Sonbarsa Raj Police Station Case No. 191 of 2019, registered
for the offences punishable under Sections 147/148/149/302/506
of the Indian Penal Code and Section 27 of the Arms Act.

This is the second attempt on behalf of the petitioner
for grant of regular bail. Earlier, the prayer for regular bail of the
petitioner was rejected by this Court, vide order, dated
19.10.2020, passed in Criminal Misc. No. 23098 of 2020, giving
liberty to the petitioner to renew his prayer for bail after nine
months from the date of the order, if the trial does not record
any progress.

The allegation, as per the First Information Report, is



that the petitioner, along with other co-accused persons, fired upon the son of the informant, leading to his death.

Learned Counsel for the petitioner submits that the petitioner is in custody since 18.11.2019 and the trial is not likely to be concluded in near future inasmuch as no prosecution witness has yet been examined. He next submits that there is no specific allegation against the petitioner and he has been implicated in this case with oblique motive due to land dispute between the informant and the cousin brother of the petitioner. He further submits that the police, after completion of the investigation, has exonerated some of the accused persons from the charges.

Regards being had to be submissions advanced on behalf of the parties and taking into consideration the fact that the petitioner has remained in custody since 18.11.2019, trial is not likely to be concluded in near future and this is second attempt for bail on behalf of the petitioner, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of



learned 4th Additional Sessions Judge, Saharsa, in connection with Sonbarsa Raj Police Station Case No. 191 of 2019.

This is subject to the condition that the petitioner shall present himself before the Court, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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