

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4552 of 2021

Arising Out of PS. Case No.-169 Year-2020 Thana- JAYNAGAR District- Madhubani

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GHURAN YADAV Son of Lakhan Yadav Resident of Village- Selra, P.S.-
Jaynagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ratanakar Jha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 22-06-2021 . In view of sudden surge of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioner and the learned APP for the State.

This Court would expect that the petitioner’s Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Jaynagar PS Case No. 169 of 2020 registered under Sections 147, 148, 149, 323, 341, 448, 379, 427, 324, 307, 354(B), 436, 504, 506 of the IPC and Section 27 of the Arms Act.

During “panchayati” it is alleged that a group of persons, including the petitioner, have attacked.

It is submitted by petitioner’s counsel that firing by gun shot is attributed against co-accused Mishri Lal Yadav. Against the petitioner and others, there is general and omnibus allegation of assault by lathi but it is not stated who is the victim of petitioner’s



assault. Injury report does not sustain prosecution case as the victim has suffered only one gun shot injury. Other than Mishri Lal Yadav nobody is alleged to have fired from the fire arm. Having no criminal antecedent petitioner is in custody since 16.6.2020. Co-accused Mishri Lal Yadav and Jitan Yadav have been allowed bail in Cr. Misc. No. 39665 of 2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of SDJM Madhubani in Jaynagar PS Case No. 169 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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