

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17 of 2021

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

Lalan Yadav Son Of Ramdeo Yadav Resident Of Village-Dhamhara, Police
Station-Mansi, District-Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sudish Kumar, Adv
For the State	:	Mr. Pushpa Sinha No.1, APP
For the Informant	:	Mr.Shekhar Kumar Singh, A.G

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 10-03-2021 Heard the parties.

Petitioner seeks bail in a case registered for the offences 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.



Considering the aforesaid facts, some other co-accused standing on the similar footing to that of the petitioner were allowed bail by a Coordinate Bench of this Court vide order at Annexure-2.

Learned counsel for the informant submits that the petitioner has not disclosed his entire criminal antecedent. Two pending cases are disclosed in the bail petition and thereafter information, regarding some other criminal cases, was brought on the record by supplementary affidavit, still there is no reference of one case.

The co-accused persons, who were allowed bail by a Coordinate Bench of this Court, had suppressed their criminal antecedent. Hence, the informant has approached the Court for cancellation of bail on the ground of suppression of material facts.

Learned counsel for the informant further submits that four eye witnesses have supported that the petitioner had fired at Abdul Salam.

The petitioner is in custody since 04.07.2020. The deceased was also carrying a lot of criminal cases against him as referred in para-9 of the bail petition. Investigation of the case is already complete. The injured has specifically stated that some



others had caused injury.

Hence, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Mansi Police Station Case No.273 of 2019 with following conditions:

(a) Both the bailors shall be 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 and forfeit the bail amount.

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

(Birendra Kumar, J)

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