

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39210 of 2020

Arising Out of PS. Case No.-46 Year-2020 Thana- MUFFASIL District- Aurangabad

Raju Yadav alias Raju Kumar, S/O Late Ram Jatan Yadav, Resident Of
Village - Bisaini, P.S. - Aurangabad (Muffasil), District - Aurangabad
(BIHAR)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 08-02-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with
Aurangabad (Muffasil) P.S. Case No.46 of 2020 for the offence
punishable under Sections 307, 379, 341, 325, 323, 504, 506,
147, 149 of the Indian Penal Code.

There is an allegation of assault by other co-accused
persons upon the family members of the informant. The
petitioner is alleged to be a member of the mob.

Mr. Krishna Prasad Singh, learned Senior Counsel
appearing for the petitioner submits that there was a scuffle
between the parties, leading to lodging of the two cases. Counter
version is Aurangabad (Muffasil) P.S. Case No.45 of 2020 by



the wife of co-accused Vishwanath Sao. Petitioner is on bail in Aurangabad (Muffasil) P.S. Case No.89 of 2020 pending against him since before. He is in custody in connection with this case since 25.08.2020, though there is no overt allegation against the petitioner even as per the prosecution version.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Aurangabad, in connection with Aurangabad (Muffasil) P.S. Case No.46 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.

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

(Madhuresh Prasad, J)

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