

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 39538 of 2020

=====

Randhir Yadav @ Randhir Kumar (Male), aged about 32 years,
son of Ishwar Yadav, resident of village-Ramdhanpur, Bichli
Gali, P.S. Kotwali and District-Gaya (Bihar)

----- Petitioner

Versus

The State of Bihar

----- Opposite Parties

=====

Appearance:-

For the Petitioner:- Mr. Manish Kumar No. 2, Advocate
For the State :- Mr. Ashok Kumar , APP

=====

CORAM:HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

- 2. 02.06.2021** The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and
Shri Ashok Kumar, learned A.P.P. for the State.

The petitioner apprehends his arrest in
connection with Kotwali P.S. Case No. 227 of 2020 for the

offence registered under Sections 147, 148, 149, 341, 323, 354, 427, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation is regarding altercation having taken place in between the accused persons and the daughter-in-law of the informant when the accused persons had threatened to demolish the staircase of the house. It is further alleged that subsequently the accused persons along with the petitioner had come to the house of the informant and had resorted to firing.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that as far as the petitioner is concerned, no specific allegation has been leveled qua him, of either having demolished the staircase or having resorted to firing, hence the petitioner is fit to be granted the privilege of anticipatory bail. It

is further submitted that the petitioner is ready and willing to abide by such conditions as may be deemed fit and proper to be imposed for the purposes of grant of anticipatory bail.

Per contra, the learned A.P.P. for the State, Shri. Ashok Kumar has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record, this Court finds that a general and omnibus allegation has been leveled against the petitioner herein, hence, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail, however, considering the fact that the staircase in question has been demolished by the accused persons and the petitioner is stated to be a member of the unlawful assembly, I deem it appropriate to impose certain conditions for the purpose of grant of anticipatory bail.

Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of his

arrest/surrender before the court below within a period of eight weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Kotwali P.S. Case No. 227 of 2020 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

It is further directed that the petitioner would mark his attendance before the Officer In-Charge of the concerned Police Station at 10:00 A.M. on every Monday of the week and in the event of his failure to do so on two consecutive occasion, the present privilege of bail being extended to the petitioner, shall stand revoked automatically and the petitioner shall be liable to be taken into custody forthwith.

(Mohit Kumar Shah, J)

S.Sb/-