

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1153 of 2021

Arising Out of PS. Case No.-113 Year-2020 Thana- MUNGER MUFFASIL District- Munger

Shiv Yadav Son of Late Gareeb Yadav @ Gareeb Prasad Yadav Resident Of
Village - Taufir T.V Centre, Police Station - Muffasil, District - Munger

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh, Advocate.

For the Opposite Party/s : Mr. Rana Randhir Singh, APP.

For the informant : Dr. Amrendra Kumar, Advocate.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL ORDER

3 24-03-2021 Heard the parties.

The petitioner is languishing in custody for the offence punishable under Sections 341, 323, 307, 302, 504 and 506/34 of the Indian Penal Code.

According to F.I.R., the petitioner who is a neighbour of the informant was erecting fence by encroaching upon the land of the informant. When the petitioner was asked to stop, the petitioner called his family members and on order of the petitioner, co-accused Kundan Yadav assaulted with the butt of the rifle causing injury at the head of the husband of the informant as well as injury to other family members. Husband of the informant died during the course of treatment.



Learned counsel for the petitioner submits that the petitioner is in custody since 02.06.2020. Investigation of the case is already complete. Mere allegation is that the petitioner is order giver.

Learned counsel for the informant submits that the petitioner is a convict and after serving out the sentence he came out of jail and committed the crime alleged.

Considering the nature of allegation against the petitioner in this case, there is no need for further detention of the petitioner after completion of investigation and lack of material to substantiate that the petitioner is going to tamper with the evidence, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Muffasil P.S. Case No. 113 of 2020, with following conditions:

(a) Both the bailors shall be the 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.



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

(Birendra Kumar, J)

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