

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2232 of 2021

Arising Out of PS. Case No.-201 Year-2019 Thana- KURSAILA District- Katihar

Babloo Yadav aged about 40 years, Male S/o Late Rajendra Yadav, Resident
of Village- Kataria P.S.- Kursela, District- Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opp Party

Appearance :

For the Petitioner : Mr. Pawan Kumar Singh Advocate
For the State : Mr. Mithilesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 01-07-2021 In view of the sudden resurgence of Covid-19 infection, there is limited functioning of the High Court and, therefore, the matter has been listed today for consideration through virtual mode.

2. Heard learned counsel for the petitioner and learned counsel for the State.

3. Learned counsel for the petitioner is expected to honour his. undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

4. The petitioner seeks bail in Kursela P.S. Case No. 201 of 2019, GR 5207 of 2019, instituted for the offence under Sections 147, 148, 149, 341, 323, 307, 379, and 384 of the Indian Penal Code and Section 27 of the Arms Act.

5. Since 08.07.2020, the petitioner is said to be in custody. It is submitted that the petitioner has no criminal antecedents and the allegation is of assault by 'Lathi' on head of the informant. The firearm injury is attributed to co-accused ,



namely, Sumit Yadav and Niwas Yadav. The injury report of the informant, namely, Tuntun Mandal which has been received as part of the case diary shows the injuries to be simple in nature.

6. The learned APP representing the State has appeared and opposed the prayer for bail. However, on going through the case diary, he is not in a position to dispute the fact as regards the nature of injury sustained.

7. Considering the rival submissions, 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 CJM Katihar**, in connection **Kursela P.S. Case No. 201 of 2019**, 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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