

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2969 of 2021**

Arising Out of PS. Case No.-253 Year-2020 Thana- ALOULI District- Khagaria

Upendra Yadav, Son of Late Lakhan Yadav, Resident Of Village- Ladoura,
P.S. - Alauli, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajit Kumar- Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit- A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 15-03-2021 Heard learned counsel appearing for the petitioner as
well as learned Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Alauli P. S. Case No.253 of 2020 registered for the offences
punishable under Sections 147, 148, 149, 307, 323, 325, 384,
379 of the I.P.C. and Section 27 of the Arms Act.

As per the prosecution case, on 24.08.2020 at about
2.00 P.M. while the informant along with his son were sitting in
his shop, all the F.I.R. named accused persons including this
petitioner arrived there with deadly weapon and co-accused
Bhogal Yadav demanded ransom of Rs.50,000/- and put three
nutt pistol on the temple of the informant's son and snatched
Rs.15,000/-. It is further alleged that co-accused Manoj Yadav
assaulted his son with Khanti on his head as a result of which,



he fell down.

It is submitted on behalf of the petitioner that there is no specific allegation of overt act against this petitioner. Petitioner simply alleged to be member of unlawful assembly. Specific allegation of pointing out pistol is against Bhogal Yadav and allegation of assault is against co-accused Manoj Yadav. Petitioner is in custody since 01.10.2020. Charge-sheet has already been submitted against him.

Counsel for the State vehemently opposed the prayer.

Considering the nature of allegation as general and omnibus, prayer for bail of the petitioner is allowed, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Alauli P. S. Case No. 253 of 2020.

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/ her absence on two consecutive dates without sufficient reason, his/ her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Prabhat Kumar Singh, J)

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