

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.3145 of 2021**

Arising Out of PS. Case No.-453 Year-2020 Thana- KATIHAR District- Katihar

MANIK YADAV @ MANOJ YADAV Son of Mandal Yadav @ Yogendra
Yadav Resident of Bamasiya, Mirchaibari, P.S.-Katihar (Sahayak), District-
Katihar.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr.Sanjeev Kumar Singh, Advocate
For the Informant	:	Mr.Rohit Kumar Sharma, Advocate
For the State	:	Mr. Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 11-08-2021 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Katihar Sahayak P.S. Case No. 453 of 2020
registered for the offence under Section 341, 323, 448, 307,
379/34 of the Indian Penal Code and Section 27 of the Arms
Act.

Learned counsel for the petitioner submits that the
informant and the petitioner side are related to each other, they
had entered into an agreement with respect to a piece of land
and because of the said dispute the present case has been falsely
lodged. The fact remains that no fire-arm injury has been
suffered by the informant.

Learned counsel for the informant submits that the firing was done by both the accused, however the informant did not suffer any fire-arm injury.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Considering the facts and circumstances of the case, in the nature of the materials placed before this Court and that the petitioner who has otherwise no criminal antecedent has been remained in custody in connection with this case for about one year, this court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Katihar Sahayak P.S. Case No. 453 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly

make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.