

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9143 of 2021

Arising Out of PS. Case No.-1037 Year-2019 Thana- MADHEPURA District- Madhepura

Fulo Yadav @ Pulendra Yadav Son Of Late Gonar Yadav R/O Village Mahua
PS - Madhepura (Ghailarh O.P.) District Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Baxi SRP Sinha Sr. Advocate with Mr. Rupesh Kumar, Advocate
For the State	:	Ms. Meena Singh APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 24-02-2021 Heard learned senior counsel for the petitioner and the learned APP for the State.

Learned counsel for the petitioner is expected to honor 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.

The petitioner seeks bail in Madhepura (Ghailarh) PS Case No 1037 of 2019, instituted for the offence under Section 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

The learned senior counsel submits that by now the petitioner has already suffered one year custody.

Earlier the prayer for bail was rejected on 26.08.2020 in Cr Misc No. 20852 of 2020. There is only one firearm injury sustained by the informant and it is a case of false implication. The other co-accused has been allowed anticipatory bail in Cr. Misc. No. 15084 of 2020.

The learned APP for the State has opposed the prayer for



bail.

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 Chief Judicial Magistrate Madhepura, in connection with Madhepura (Ghailarh OP) PS Case No 1037 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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