

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9333 of 2021

Arising Out of PS. Case No.-307 Year-2020 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Neeraj Kumar Yadav @ Paltu Yadav, Son of Wakil Yadav, R/O Mohalla-
Adarsh Colony, Surkhikal Bhatta, P.S.- Barari, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Sinha
For the Opposite Party/s : Mrs.Sanjeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-07-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to
remove the defects as pointed out by the office within four
weeks of normal functioning of the court, failing which the
office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 341, 323, 307, 427/34 of the
Indian Penal Code and 27 of the Arms Act.

Allegation against the petitioner along with other
accused persons is said to have fired on the car of one Sonu
Singh due to which the glass of vehicle was shattered and he
was also injured by the shattered glass on his face. The second



bullet was also fired on Md. Maiser by Md. Sikandar@ Raja, but he somehow survived.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is not named in the FIR. On the confessional statement of co-accused, he has been made accused in this case. The petitioner is languishing in judicial custody since 26.09.2020. The petitioner has got 09 criminal antecedents which is mentioned in para 3 of the bail petition. Charge sheet has been submitted in this case. Co-accused has been granted bail by a Co-ordinate Bench of this Court passed in Cr. Misc. No. 5290/2021.

Learned APP for the State opposes the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Kotwali (Tilkamanjhi) P.S. Case No. 307/2020 to the satisfaction of learned Court below where the case is pending; subject to the following conditions:

(1) that one of the bailors will be a close relative of



the petitioner, who will be given an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) that the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(3) that the petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates his bail bond will be liable to be cancelled.

(4) that the petitioner will mark his attendance in the local police station in first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Anjani Kumar Sharan, J)

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