

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9136 of 2021

Arising Out of PS. Case No.-87 Year-2020 Thana- BIHRA District- Saharsa

Ashok Yadav @ Bhagwan Yadav Son of Parmeshwari Yadav, Village Barahsher, P.S.- Bihra, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Kumar Singh, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 05-07-2021 In view of sudden resurgence of COVID–19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

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

This Court would expect that the petitioner’s Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Bihra P.S. Case No. 87 of 2020 registered for offence punishable under sections 447, 341, 323, 324, 307, 504, 34 of the Indian Penal Code.

Allegation is that the accused persons have gone to the house of the informant while there were sitting under the



electric pole in front of the house and they have indiscriminately assaulted the informant and his family members.

It is submitted by the petitioner's counsel that specific stab injury upon the brother of the informant is attributed against co-accused Manoj Yadav. Petitioner's implication is only by virtue of his relationship, as he happens to be uncle of Manoj Yadav. No specific assault is attributed against the petitioner. He has no criminal antecedent and is in custody since 23.09.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, 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, Saharsa in Bihra P.S. Case No. 87 of 2020, subject to the following conditions:-

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit 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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