

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2395 of 2022

Arising Out of PS. Case No.-119 Year-2019 Thana- AKBARPUR District- Nawada

Bulak Yadav @ Umesh Yadav @ Umesh Prasad Yadav Son of Late Bharat
Yadav Resident of Village - Mastanganj, P.S.- Akbarpur, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-05-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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

Petitioner seeks bail in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 448, 427, 379, 307, 504 of the Indian Penal Code and Sections 26 and 27 of the Arms Act.

As per prosecution case, in brief, is that 11 named persons and 15 unnamed persons lashed with iron rod indulged in the occurrence. The occurrence had taken place when the informant was constructing his house and was casting his roof on his land. It is further alleged that co-accused Ramadhin



assaulted the informant by iron rod on his hand whereas another co-accused Bulak Yadav @ Umesh caught hold of his hand. It is further alleged that co-accused Rajpal Yadav had placed his pistol on the temporal region and fired on the informant. After alarm, all the accused persons fled away. Accused Jiran Yadav took away the golden chain and Arvind Yadav took Rs. 20,000/-.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case . He further submits that it appears from the F.I.R. that the allegation against the co-accused Ramadhin Yadav, who assaulted the informant by iron rod whereas the petitioner caught hold the hand of the informant. He further submits that there is case and counter case between the parties and there is admitted land dispute. Co-accused Rajpal Yadav has been granted bail by a Coordinate Bench of this Court vide order dated 29.01.2021 in Cr. Misc. No. 29183 of 2020 and other co-accused persons namely Jiran Yadav, Rohit Kumar, Rahul Kumar, Manish Kumar, Arbind Kumar and Abhishek Kumar have been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 05.02.2020 in Cr. Misc. No. 75118 of 2019. Police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 05.09.2021.



Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries four more cases other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Akbarpur P.S. Case No. 119 of 2019, with the following conditions :-

(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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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.

(Rajesh Kumar Verma, J)

Ibrar//-

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

