

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6912 of 2022

Arising Out of PS. Case No.-79 Year-2020 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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UMESH YADAV Son of Late Tilak Yadav Resident of Village - Gulni, P.S. -
Magadh Medical, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shivendra Prasad
For the Opposite Party/s : Mr.Shyam Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 26-05-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard the learned counsel for the petitioner and

learned APP for the State.

This is an application for regular bail on behalf of

the petitioner for the offences alleged under Sections 147, 148,

149, 323, 325, 341 and 307 of the Indian Penal Code, registered

in connection with Magadh Medical P.S.Case No. 79 of 2020.

As per allegation, when the informant after

purchasing vegetables going to his house, the named accused

persons along with 5-7 unknown persons stopped his motor-

cycle. Co-accused Dinesh Yadav assaulted him with a butt of



pistol. He also fired, but the informant escaped.

The learned counsel for the petitioner has submitted that the entire allegation is false. The real fact is that on the same day, the informant along with other accused persons committed murder of one Deepak Yadav @ Deepak Kumar and after committing murder they fled away. The informant while fleeing away, sustained injury after falling down on the ground. In this respect, the informant Nagendra Yadav, father of the deceased, lodged Magadh Medical P.S.Case No. 77 of 2020 under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act. The learned counsel has submitted further that the petitioner is a person of clean antecedents and he is in custody since 29.10.2021

Considering the above facts and circumstances, 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 learned ACJM-VI, Gaya in connection with Magadh Medical P.S.Case No. 79 of 2020, subject to the following conditions:-

1. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.



2. If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioner within the stipulated time as provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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