

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7946 of 2022

Arising Out of PS. Case No.-308 Year-2021 Thana- SHEKHPURA District- Sheikhpura

Lalbabu Yadav @ Lala Kumar S/o Late Rajendra Yadav Resident of Village-
Audhe, P.S.- Sheikhpura (Hathiyawan O.P.), Districtg- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 21-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Sheikhpura (Hathiyawan O.P.) P.S. Case No. 308 of 2021
registered for the offence under Sections 341, 337, 323, 307,
506, 504 and 34 of the Indian Penal Code and Section 27 of the
Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 26.10.2021.

The allegation against the petitioner is of
indiscriminate firing on the informant and family members with
the intention to cause death.



Learned counsel appearing on behalf of the petitioner submitted that the occurrence is founded over land dispute between the parties and moreover, the allegation as regard to firing is indiscriminate and not specific. It has further been submitted that the petitioner is a man of clean antecedent and chargesheet has already been submitted in this case, as such there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State duly assisted by learned counsel appearing on behalf of the informant while opposing the prayer of bail submitted that from bare perusal of the F.I.R., it appears that the allegation of firing is not specific against the petitioner.

Considering the facts and circumstances as mentioned above, as the allegation of firing is not specific, let the petitioner, above named, is directed to be released on bail in connection with Sheikhpura (Hathiyawan O.P.) P.S. Case No. 308 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura, subject to the following conditions:

“(i) Accused/Petitioner shall
cooperate in the trial and shall be physically



present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Vijay Kumar, who is the brother-in-law of the petitioner and deponent of the present bail petition.”

The physical appearance of the I/O before the Court is dispensed with.

(Chandra Shekhar Jha, J)

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