

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10307 of 2022

Arising Out of PS. Case No.-624 Year-2020 Thana- MADHEPURA District- Madhepura

Shubhash Yadav S/o- Late Siyaram Yadav Resident of Village- Bhatrandha,
P.S.- Madhepura (Parmanandpur O.P.), District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-07-2022 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 380, 460, 307 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation is that the petitioner caused firearm injury to the younger brother of the informant, namely, Sanjeev Yadav. The doctor has found firearm injury on the face of the injured.

Earlier the bail petition of the petitioner was dismissed vide order dated 09.08.2021 passed in Cr. Misc. No. 8558 of 2021.

Vide order dated 15.06.2022, a report was called for



with regard to the present stage of the trial. The report dated 02.07.2022 reveals that the case is at the stage of prosecution evidence and out of 10 chargesheeted witnesses, none of the witness has been examined as yet and the petitioner is in custody since 17.09.2020.

Learned counsel for the petitioner submits that in view of the report it appears that there is no chance of early conclusion of the trial in near future.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two 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 Madhepura (Parmanandpur O.P.) P.S. Case No. 624 of 2020, 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 antecedents, 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)

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