

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.10285 of 2022**

Arising Out of PS. Case No.-196 Year-2017 Thana- KISHUNPUR District- Supaul

CHANDRA BHUSHAN YADAV @ CHANDRA BHUSHAN KUMAR S/o-  
Bhupendra Yadav @ Bhupendra Prasad Yadav Resident of Village- Kotapatti,  
P.S.-Kishanpur, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rajesh Roy,Adv

For the Opposite Party/s : Ms.Anita Kumari,APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      15-06-2022                      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 offence punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307, 379, 447, 504, 506 of the IPC and Section 27 of Arms Act.

Allegation against the petitioner is that he fired upon Jay Prakash Yadav causing injury at the neck. He also assaulted with lathi to the informant at his head.

Learned counsel appearing for the petitioner submits



that the petitioner has falsely been implicated in the present case. He further submits that as per allegation in the FIR that he fired upon Jay Prakash Yadav due to which he injured. He further submits that the injury report (Annexure-3 series) does not support the allegation as alleged in the FIR and there is admitted land dispute between the parties and the petitioner has falsely been implicated in the present case and co-accused persons, namely, Saroj Yadav has been granted bail vide order dated 16.11.2017 in Cr. Misc. No.53366 of 2017 and another co-accused, namely, Ramdeo Prasad Yadav @ Ramdeo Yadav has been granted privilege of anticipatory bail vide order dated 10.02.2022 in Cr. Misc.No.55627 of 2021 by different Coordinate Benches of this Hon'ble Court and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 07.11.2021.

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

Considering the aforesaid facts, 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 Court below where the case



is pending in connection with Kishanpur P.S.Case No.196 of 2017, 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

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)**

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