

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13178 of 2022

Arising Out of PS. Case No.-405 Year-2020 Thana- BARH District- Patna

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BINOD YADAV @ VINOD YADAV Son of Ram Chandra Yadava Resident
of Village - Hasanchak, Behrawan, P.S. Barh, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Y.V. Giri, Sr. Adv. Mr. Sumit Kumar Jha, Adv. Mr. Sumit Kumar, Adv. Mr. Sumit Kumar Jha
For the informant	:	Mr. N.K. Agarwal, Sr. Adv. Mr. Madan Mohan, Adv.
For the Opposite Party/s	:	Mr. Gulnar Begum, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-04-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 341, 323, 307, 504, 506 and 34 of the
Indian Penal Code and Section 27 of the Arms Act.

As per the allegation in the F.I.R., it is stated that out of
a dispute between Ramanand Singh and Satyaprakash Yadav, the
accused persons including the petitioners herein variously armed
reached there. On the orders of Satyaprakash Yadav and Vinod
Yadav, the accused persons started to fire indiscriminately. On the
informant asking them not to fire, it is stated that Aman Kumar
fired hitting the informant in his right leg. The informant was



taken for treatment.

Learned senior counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is alleged to be order giver in this case and the accusation of firing is attributed to the other accused persons, more particularly, co-accused, Aman Kumar, who allegedly fired upon the informant inflicting firearm injury to his right leg. He further submits that similarly situated co-accused, namely, Ranjee Yadav along with Sonu Kumar and Satya Prakash @ Satya Prakash Yadav, Om Prakash @ Amit Ranjan, Ved Prakash and Ranvir Kumar @ Ranvir Yadav have already been granted bail by co-ordinate Benches of this Court vide order dated 23.06.2021 and 22.03.2022 passed in Cr. Misc. No. 22033 of 2021 and Cr. Misc. No. 42558 of 2021, respectively. He further submits that the case of this petitioner stands on better footing to that of the co-accused, who have been granted bail in this case. The petitioner is rotting in judicial custody since 19.11.2020.

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

Considering the facts and circumstances of the case, let the, above named, petitioner 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 Barh P.S. Case No. 405 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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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