

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14573 of 2022

Arising Out of PS. Case No.-873 Year-2020 Thana- SUPAUL District- Supaul

Subodh Yadav @ Subodh Kumar Son of Shatrughan Yadav Resident of
Village- Kasah, P.S.- Tribeniganj, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arun, Adv.
For the Informant	:	Mr. Surya Narayan Yadav, Adv.
For the Opposite Party/s	:	Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 29-09-2022 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Supaul P.S. Case No. 873 of 2020 lodged under Sections 302/34
of the I.P.C. and 27 of the Arms Act.

As per the prosecution case, 3 unnamed accused
persons along with 4 named accused persons visited at the house
of the informant. And 4 named accused persons started firing
the son of the informant. By the firing made by them the son of
the informant died.

Learned counsel for the petitioner submits that as per

the F.I.R. all the accused persons had fired on informant's son by which his son died. He further submits that name of the petitioner has appeared in this case by virtue of confessional statement of the co-accused. The petitioner is in custody since 04.04.2021, charge sheet has already been filed in this case. On the point of criminal antecedent, there are 3 criminal cases pending against the present petitioner and he is on bail in all the 3 cases.

Learned counsel for the petitioner submits that the other co-accused persons have been granted bail by the Coordinate Bench of this Court vide order dated 27.09.2022 in the Cr. Misc. No. 58628 of 2021.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District and Sessions Judge-Ist-Cum Special Judge, Supaul in connection with Supaul P.S. Case No. 873 of 2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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