

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14405 of 2022

Arising Out of PS. Case No.-308 Year-2018 Thana- GOGRI District- Khagaria

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LALLU YADAV @ LALO YADAV, S/O ANIRUDH YADAV R/o village-
Baraitha, P.S.- Gogri, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 14-07-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with Gogri

P.S. Case No. 308 of 2018, G.R. No. 2552A of 2018,

registered for the offences punishable under Sections 307,

326, 120(B) and 34 of the I.P.C. and Section 27 of the

Arms Act.

As per allegation, petitioner along with his

associates fired three-four gun shot on the informant's son,

causing injuries on his person.

The learned counsel for the petitioner submits that

the petitioner is innocent and has falsely been implicated in



this case. He further submits that the informant is not the eye witness of this case and only due to previous enmity, he has lodged the subject FIR against the petitioner. It has also been stated that the informant and his sons have criminal background and the possibility of sustaining injury in some other transaction cannot be ruled out. He also submits that charge-sheet in this case has already been submitted. He further points out that similarly situated one of the co-accused, namely, B.P. Yadav has already been granted bail by a Bench of this Court vide order dated 20.07.2020, passed in Cr. Misc. No. 19849 of 2020.

The petitioner is in custody since 24.01.2022.

It is also stated in paragraph no. 2 of the petition that the petitioner has moved before this Court for grant of anticipatory bail vide Cr. Misc. No. 14496 of 2019.

It has further been stated that the petitioner has been made accused in one more case, namely, Gogri P.S. Case No. 04 of 2009.

However, the learned APP for the State has opposed the prayer for bail.



Considering the facts and circumstances, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge, Vth Khagaria, in connection with Gogri P.S. Case No. 308 of 2018, G.R. No. 2552A of 2018, **after framing of charge**, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court



below that the petitioner has criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands disposed off, accordingly.

The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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