

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15639 of 2022**

Arising Out of PS. Case No.-308 Year-2021 Thana- SHEKHPURA District- Sheikhpura

SINTU KUMAR @ SINTU YADAV Son of Late Rajendra Yadav Resident of
village - Audhe, P.S.- Sheikhpura (O.P. Hathiyawan), District - Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh,

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 19-07-2022 Heard learned counsel for the petitioner, State and
learned counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Sheikhpura (Hathiyawan O.P.) P.S. Case No. 308 of 2021
for the offences under Sections 323, 307, 506 and 504/34 of the
Indian Penal Code and Section 27 of the Arms Act.

The informant has alleged in the FIR is that three
accused persons including the petitioner herein resorted to
indiscriminate firing, one of which hit the right leg of the
informant and he was injured. When the family members of the
informant and the other people assembled there, the accused
persons fled away from the place of occurrence.



Learned counsel for the petitioner submits that omnibus allegation has been made against the accused persons including the petitioner herein. He further submits that the petitioner is in custody since 01.11.2021(as stated in paragraph-9 of the bail application). He lastly submits that one of the similarly situated co-accused namely, Lalbabu Yadav @ Lala Kumar has since been granted the privilege of bail in Cr. Misc. No. 7946 of 2022 on 21.06.2022.

Let the order dated 21.06.2022 be kept on record.

Taking into account the aforesaid facts that omnibus allegation is made against the petitioner herein, charge sheet stands submitted, he is in jail since 01.11.2021 and one of the co-accused has been granted the privilege of bail by a co-ordinate Bench of this Court, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 15,000/- (Fifteen Thousand) with two sureties of like amount each to the satisfaction of Chief Judicial Magistrate, Sheikhpura in connection with Sheikhpura (Hathiyawa O.P.) P.S. Case No. 308 of 2021, subject to the following conditions.

(i) one of the bailor should be the family member of



the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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