

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28034 of 2021

Arising Out of PS. Case No.-123 Year-2020 Thana- LAUKAHI District- Madhubani

1. SHIV SHANKAR YADAV S/o Sri Jawahar Yadav Resident of Village- Hariraha Rustampur, P.S.- Laukahi, District- Madhubani.
2. RAMESH KUMAR YADAV @ RAMESH KUMAR Son of Sri Ram Sagar Yadav Resident of Village- Hariraha Rustampur, P.S.- Laukahi, District- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Adv. Mr. Madhu Prasun, Adv.
For the Opposite Party/s	:	Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 25-01-2022 Heard learned senior counsel for the petitioners and the learned A.P.P. for the State through video conferencing.

The petitioners seek bail in connection with Laukahi P.S. Case No. 123 of 2020 registered for the offence under Sections 143, 341, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

The informant along with her husband and son are said to have been assaulted by the petitioners and their associates with deadly weapons like lathi, farsa, gun, iron rod due to which they sustained injuries.



Learned senior counsel appearing for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He further submits that this case is a counter blast of Laukahi P.S. Case No. 127 of 2020. He further submits that the family members of the petitioners already submitted representations before the D.G.P, I.G.P, D.I.G., S.P. and S.D.P.O. explaining the details of the incident and demanded security and for fair investigation the case. The petitioners are rotting in judicial custody since 16.10.2020.

Learned counsel for the informant and learned A.P.P. for the State has, vehemently, opposed the prayer for bail of the petitioners and submitted that there is direct allegation of firing against the petitioner No.1.

Considering the facts and circumstances of the case and the period of custody, let the, above named, petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.- Jhanjharpur in connection with Laukahi P.S. Case No. 123 of 2020 with the following conditions:-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be canceled by the Court below.

(2) If the petitioners tamper 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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