

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30876 of 2021

Arising Out of PS. Case No.-321 Year-2020 Thana- SHAMBHUGANJ District- Banka

1. Sintu Yadav, aged about 19 years, Male Son of Bhubneshwar Yadav.
 2. Parshuram Yadav, aged about 35 years, Male Son of Dhaneshwar Yadav.
 3. Goonga @ Guno @ Brajesh Yadav, aged about 25 years, Male Son of Ramroop Yadav.
- All are resident of village- Basbitta, P.S.- Shambhuganj, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar Jha, Advocate
For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 31-01-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State through video conferencing.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioners seek bail in connection with Shambhuganj P.S. Case No. 321 of 2020 registered for the offences punishable under Sections 147, 148, 149, 307, 325, 504, 506, 302 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioners and his associates are said to have assaulted the informant and his family members with deadly



weapon resulting injury.

Learned counsel for the petitioners submit that petitioners have clean antecedent. They have been falsely implicated in this case. He further submits that the present case is a counter blast of Shambhuganj P.S. Case No. 323 of 2020 filed by the petitioner no. 1 against the informant and others. He further submits that in the FIR there is general and omnibus allegation against petitioners no. 1 and 3 and the specific allegation of assault is against petitioner no. 2, that he gave iron blow over the shoulder of the informant. Except the said there is no specific assault against the petitioners. He further submits that the police after investigation submitted chargesheet against the petitioners. Petitioners are in custody since 21.11.2020.

Learned Additional Public Prosecutor for the State opposed the prayer for bail of the petitioners.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioners, above named, 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 the learned ACJM-IV, Banka in connection with Shambhuganj P.S. Case No. 321 of 2020, subject to 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 cancelled 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.

3. 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)

Anand Kr.

U		T	
---	--	---	--

