

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25772 of 2022

Arising Out of PS. Case No.-123 Year-2021 Thana- PASRAHA District- Khagaria

Pawan Yadav Son Of Chaturi Yadav R/O Village- Bandhera, P.S.- Pasraha,
District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv.

For the Opposite Party/s : Mr. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-08-2022 Heard Mr. Praveen Kumar, learned counsel for the
petitioner and the learned APP for the State.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with Pasraha P.S. Case No.123 of 2021 instituted under Sections
341,307,429,506,34 of the Indian Penal Code and under Section
27 of the Arms Act.

Mr. Praveen Kumar, learned counsel for the petitioner
submits that without going into the merit of the case and/or on
allegation in the FIR, the petitioner on humanitarian ground is
ready to pay Rs.50,000/- for the death of the buffalo of the
informant, as he was earning from the said buffalo. He submits
that he is ready to pay the same through the Demand Draft in
favour of the informant issued by a local State Bank of India



Branch which will be submitted before the court below to be handed over to the appropriate person after identification of his/her bona fide.

So far as the allegation in the FIR is concerned, he submits that the same is omnibus in nature and there has not been any injury on any person. Unfortunately, there is an allegation of a buffalo being hit by the firing as a result whereof he died. He as such submits that he is in custody since 16.12.2021 and has already suffered for the said allegation in the FIR.

Taking into account the aforesaid fact as also that he is custody since 16.12.2021 and charge-sheet submitted, this Court is inclined to grant him privilege of bail, subject to his submission of Demand Draft of Rs.50,000/- issued by local State Bank of India Branch in favour of informant, Jitan Yadav before the court of learned ACJM, IV, Khagaria which will be handed over to him after verifying his bona fide through a Government document (Voter ID, Aadhar Card, etc.)

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Pasraha P.S. Case No.123 of 2021 to the satisfaction of learned A.C.J.M., IV,



Khagaria, subject to 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 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.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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