

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23309 of 2022

Arising Out of PS. Case No.-65 Year-2020 Thana- BARACHATTI District- Gaya

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Jitendra Yadav S/o Dashrath Yadav Resident of Village- Aamukhap, P.S.-
Dhangai, District- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Abhay Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 31-08-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Barachatti P.S. Case No. 65 of 2020 lodged under Sections 341,
307, 504/34 of the Indian Penal Code read with Section 27 of
the Arms Act.

As per the allegation made in the F.I.R., the informant
indicates that he is resident of a particular village, he narrated
that on 22.12.2019 he was going to his village from Dhobhi on
his motorcycle. It has been alleged that when he reached near
Kharaudhi river then on motorcycle 2 persons including the
present petitioner had stopped them by overtaking and started

abusing. Subsequently allegation is upon the Jitendra Yadav and Laldeo Yadav who took pistol and fired on the head of the informant, bullet only touched him. Subsequently he was admitted to hospital and subsequently referred to Patna. It has been admitted that due to land dispute this attack was made as mentioned by the Informant of the case.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. From the F.I.R. itself it is clear that it is a long pending dispute due to which present occurrence has take place. Learned counsel for the petitioner further submits that petitioner is in custody since 12.01.2022, chargesheet has already been filed in this case and there are 3 cases pending against the present petitioner and in all 3 cases he is on bail.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Sherghati, Gaya in connection with Barachatti P.S. Case No. 65 of 2020, subject to

the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relation with the petitioner.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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