

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24430 of 2022

Arising Out of PS. Case No.-140 Year-2021 Thana- BARH District- Patna

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Sheo Dayal Yadav @ Ram Dayal Yadav Son Of Meso Yadav Resident Of
Village - Hasanchak, P.S.- Barh, District - Patna.

... .. Petitioner/S

Versus

The State Of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suraj Kumar, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-08-2022 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
Barh P.S. Case No. 140 of 2021 lodged under Sections 341, 307,
384, 429, 34 of Indian Penal Code along and Section 27 of
Arms Act.

As per the prosecution case, allegation of demand of
Rs. 50,000/- is made in the F.I.R. and allegation has been made
against 3 known and 10-15 unknown persons, on the basis of
which, the present F.I.R. has been lodged.

Learned counsel for the petitioner submits that for the
same date and time of occurrence, there are two F.I.R. lodged in



the same Police Station, one is present F.I.R. and another is Barh P.S. Case No. 141 of 2021 lodged by the wife of the brother of the petitioner. Learned counsel for the petitioner submits that dispute occurred due to hot tension taken place due to political reasons. He further submits that petitioner is in custody since 10.02.2022, chargesheet has already been filed in this case and petitioner has clean antecedent. Learned counsel for the petitioner also submits that, though, compromise is not permissible in such type of cases but petition filed before the court of C.J.M. indicates that parties are now not interested for further litigation. He further submits that petitioner is aged about 49 years and ready to fulfill all the conditions laid down by the court. Learned counsel for the petitioner submits that there is an allegation in the F.I.R. but it is also true that for the same date, time and place of occurrence, case and counter case are also there.

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 Additional Chief Judicial Magistrate-
1. Barh, Patna in connection with Barh P.S. Case No. 140 of
2021, 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 bailor shall be close relative who shall
file affidavit before the court about his relation with the
petitioner.

C. The petitioner shall file an affidavit at the time of
furnishing of bail bond that he shall not involve in such criminal
activity during the continuance of present bail bond, violation of
this condition shall be resulted into cancellation of his present
bail bond.

With this observation, the bail application stands
allowed.

(Dr. Anshuman, J)

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