

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31746 of 2022

Arising Out of PS. Case No.-512 Year-2021 Thana- PHULPARAS District- Madhubani

Subhash Yadav @ Subhash Kumar Yadav, S/o Laloo Yadav Resident of
Village- Bholirahi, P.S.- Ghoghardiha, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Shubham, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 01-09-2022 Heard Ms. Kumari Shubham, learned counsel
appearing on behalf of the petitioner and Mr. Ram Anurag
Sinha, learned A.P.P. for the State.

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

The petitioner seeks regular bail in connection with
Phulparas P.S. Case No. 512 of 2021, for the offence punishable
under Section 341, 323, 307, 379, 511, 504 and 506/34 of the
Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, in brief, is that informant as
well as accused persons named in the F.I.R. are co-villager and
in course of taking photograph, the same was objected by the
petitioner and his gang members, who allegedly are involved in
trade of illicit liquor. The accused persons named in the F.I.R.,
including the petitioner, assaulted the informant with fist and leg



and thereafter, they fled away boarding on motorcycle by firing at the house of the informant.

Learned counsel appearing on behalf of the petitioner submitted that informant and the petitioner are co-villager. The Informant due to enmity with the present petitioner has dragged him in the false case. The petitioner is not involved in either sale/purchase or trade of illicit liquor. The petitioner is on bail in two other cases. The petitioner is in custody since 30.12.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case, nature of allegation against the petitioner and period of custody undergone by the petitioner, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Jhanjharpur, Madhubani in connection with Phulparas P.S. Case No. 512 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.



(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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