

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41393 of 2021

Arising Out of PS. Case No.-400 Year-2020 Thana- FATUA District- Patna

KOMAL YADAV S/O BIJENDRA YADAV R/O VILLAGE-
SINGORIYAMA, P.S-SHAHJEHAPUR, DISTRICT-PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 21-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and 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, who is in custody since 13.06.2020,
seeks regular bail in connection with Fatuha P.S. Case No. 400
of 2020 for the offence punishable under Sections 25(1-b)a and
26 of the Arms Act.

The prosecution case, in brief, is that at village Dumri,
some miscreants started firing. The alleged incident took place
because the petitioner wanted to marry with the sister-in-law
who had denied to marry with him, as such he fired on her. On
search, one country made pistol and three live cartridges were



recovered from the possession of the petitioner. Accordingly, seizure-list was prepared.

Learned counsel appearing on behalf of the petitioner submits that due to dispute of the petitioner with his wife, he has been roped in a false case. Besides the present case, petitioner has been made accused in Fatuha P.S. Case No. 399 of 2020 by the family members of the victim with respect to the same occurrence. Nothing incriminating article has been recovered from the possession of the petitioner. Petitioner is in custody since 13.06.2020

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the aforementioned facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, Patna City in connection with Fatuha P.S. Case No. 400 of 2020, 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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