

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34496 of 2022

Arising Out of PS. Case No.-1 Year-2021 Thana- SHRI NAGAR District- Madhepura

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SATYAM KUMAR SON OF AKHILESH YADAV @ AKHIL KUMAR @
AKHILESH KUMAR YADAV R/O VILLAGE - PAKILPAR, WARD NO.-
03, P.S.- MURLIGANJ, DISTRICT- MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-09-2022 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 341, 323, 153A, 307, 504 and 34
of the Indian Penal Code and Section 27 of the Arms Act.

According to the prosecution, the informant and
his associate are said to have been assaulted by the
petitioner and others and on the order of petitioner, one
accused namely Panchanand Das shot fire upon the Saiyad,
who got seriously injured.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case. He further submits that it appears



from the F.I.R. that the specific allegation of inflicting gun shot injury to the injured is attributed to the co-accused, Panchanand Das and the petitioner is said to be the order giver. He further submits that no cogent material has surfaced in this case during course of the investigation. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 05.08.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Srinagar P.S. Case No. 01 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates



without sufficient reason, his/her bail bond shall be canceled by the Court below.

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

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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