

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35474 of 2022

Arising Out of PS. Case No.-343 Year-2019 Thana- SAHPUR District- Bhojpur

RAVI KUMAR YADAV @ RAVI KUMAR S/o - Shyam Jee Yadav, R/o-
Village- Shahpur, Ward No. 1, P.S.- Sahpur, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajendra Narayan, Sr. Advocate Mr. Sunil Kumar Yadav, Advocate
For the Opposite Party/s	:	Mr. Satyendra Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-09-2022 Let the defect(s), 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
Shahpur P.S. Case No. 343 of 2019 under Section 302/34 of
Indian Penal Code read with Section 27 of the Arms Act.

As per the prosecution, the specific allegation against
Binod Yadav @ Ravi Yadav son of Munna Yadav is to fire by
rifle upon the husband of the informant, who is deceased.
Allegation against the present petitioner is that he is a member
of mob.

Learned counsel for the petitioner submits that there is

a case filed by this petitioner which is Annexure-3 (page-20 of the petition), in which his ancestral land were taken forcefully by the informant's family. He further submits that the specific allegation is against Binod Yadav to fire. The only allegation against the petitioner is that he became a member of a mob. He further submits that petitioner is in custody since 06.05.2022 having clean antecedent and charge sheet has already been filed in this case. He further submits that similarly situated two co-accused persons, namely, Rahul Yadav and Lalu Yadav have already been granted bail by the Co-ordinate Bench of this Court vide order dated 27.06.2022 passed in Cr. Misc. Nos. 35367 of 2021 and 39460 of 2021 respectively.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of the 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.Ist, Bhojpur at Ara in connection with Shahpur P.S. Case No. 343 of 2019, 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 be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file an affidavit before the court about his relationship 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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