

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47489 of 2021

Arising Out of PS. Case No.-168 Year-2019 Thana- AGIAON BAZAR District- Bhojpur

Rajesh Yadav Son Of Birendra @ Virandra Resident Of Village - Lahthan,
P.S.- Agiaon Bazar, Dist.- Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 13-07-2022 Let the defects, if any, be removed within four weeks
from today.

Heard Mr. Anil Kumar Singh, learned counsel for the
petitioner as well as learned Additional Public Prosecutor for the
State.

Petitioner seeks bail in a case registered in connection
with Agion Bazar P.S.Case No. 168 of 2019 for the offences
punishable under Sections 341, 323, 307, 504, 506/34 of the
Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, it is alleged that on
account of some due wages regarding labour works an
altercation has taken place and the petitioner allegedly fired
upon informant causing firearm injury on his left leg. The
learned counsel appearing on behalf of the petitioner submits



that the firing which allegedly made by the petitioner an accident, as there was no intention to kill the informant. It is further submitted that the injury has been caused on his leg which is not the vital part of the body. Moreover, this petitioner is in custody since 05.04.2021, and he is giving under taking that he will remain present on each and every date of the trial.

On the other hand, learned counsel for the State opposed the bail application of the petitioner and submits that the petitioner appears to be habitual offender and is also named in three other cases.

Having heard the rival contentions of the parties and taking into consideration the nature of allegation and also the injury caused on the non vital part of the body, apart from the fact he is in custody since 05.04.2021, let the petitioner, above named, be released on bail on and after framing of the charge on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XI, Bhojpour at Ara in connection with Agion Bazar P.S.Case No. 168 of 2019 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-



(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 cancelling 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.

(Harish Kumar, J.)

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