

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47294 of 2021**

Arising Out of PS. Case No.-143 Year-2020 Thana- KHAJAULI District- Madhubani

SHUSHIL YADAV @ SUSHIL YADAV Son of Late Ram Jatan Yadav
Resident of Village - Pali Mohan, P.S.- Khajauli, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash

For the Opposite Party/s : Mr. Amitesh Kumar

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 25-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 341, 323, 337, 307 & 504/34 of the Indian Penal Code.

The petitioner in association of other co-accused is said to have attacked upon the informant by means of lathi, danda and bricks due to which he sustained severe injuries.

It is submitted by learned counsel for the



petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to dirty politics. As a matter of fact, petitioner is the Up-Pramukh of the cocnern block and due to political rivalry he has been made accused in this case. No specific overt act has been attributed against the petitioner rather the allegation levelled against the petitioner is general and omnibus in nature. Similarly situated co-accused, namely, Ganesh Paswan and others have been enlarged on bail by this court vide order dated 15.12.2021 passed in Cr. Misc. No. 25068 of 2021.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 Court below where the case is pending/successor Court in connection with Khajauli P.S. Case No. 143 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., subject to further condition that

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.



(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(5) The petitioner will mark his attendance in the local police station in first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Anjani Kumar Sharan, J)

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