

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36930 of 2022

Arising Out of PS. Case No.-153 Year-2022 Thana- BUXAR District- Buxar

Raju Yadav Son Of Jawahar Lal Yadav R/O Village- Bharauli, P.S.- Narhi,
Distt.- Balliya (UTTAR Pardesh)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 21-09-2022 Let the defect, 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
Buxar (M) P.S. Case No. 153 of 2022 lodged under Section
302/34 of the I.P.C. and 27 Arms Act.

As per the prosecution case, the F.I.R. has been
lodged against 7 known accused persons who had surrounded
the brother of the informant. The brother of the informant has
identified 3 accused persons and made his statement that all the
3 had fired on his brother due to which he injured. The
informant went to hospital with his brother along with family
members, where doctor declared his brother dead.

Learned counsel for the petitioner submits that

petitioner is not named in the F.I.R. He further submits that the informant and the accused persons, all belong to the same village and are well known to each other. And due to this reason, he has narrated the entire story of the occurrence in which he has named 3 accused persons directly because they are well known to each other. He has not disclosed the name in the F.I.R. of the present petitioner. Learned counsel for the petitioner further submits that the name of the petitioner has been figured in this case only and only due to the reason that he is the cousin of the one of the accused persons, namely Sangram Singh. He further submits that the name of the petitioner alleged to be figured in this case by virtue of confessional statement of Sangram Singh. Learned counsel submits that petitioner is in custody since 27.04.2022 having clean antecedent and charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this 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 C.J.M. Buxar in connection with

Buxar (M) P.S. Case No. 153 of 2022, 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 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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