

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48433 of 2021

Arising Out of PS. Case No.-23 Year-2020 Thana- NADI District- Supaul

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PRADEEP YADAV @ PRADEEP KUMAR S/o Brahmdeo Yadav Resident of
Village- Kyotapatti, P.S.- Nadi Thana and District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Murari Narain Chaudhary, Adv
For the Opposite Party/s : Mr.A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 31-03-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 307, 323, 341, 354, 384, 386, 504 and 506/34 of the Indian Penal Code and 27 of Arms Act.

The prosecution case, in short, is that the petitioner alongwith eleven co-accused persons being armed with various weapons, came to the house of the informant in different vehicles and started firing on 24.10.2020 at 9.15 PM. Accused persons started assaulting the informant and accused petitioner shot the husband of informant, victim Ranjeet Kumar Yadav, by



means of firearms. Petitioner threatened to kill the victim if he failed to give Rs. 7,00,000/-.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that as per allegation, altogether 11 accused persons came to the house of the informant and petitioner fired upon the victim and direct allegation of causing gun shot injury to the victim is attributed against the petitioner. Injury report of the victim reflects that the victim sustained oval size hole on front of right knee-joint with bleeding, measuring 1/2"x1/4" and depth of the wound. Learned counsel for the petitioner submits that there is no repetition of assault on non-vital part and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 23.03.2021.

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

Considering the facts and circumstances of the case, let the petitioner, above named, 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 Supaul Riverine (Nadi) Police Station Case No.23 of 2020, 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 cancelled 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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