

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38040 of 2022

Arising Out of PS. Case No.-37 Year-2022 Thana- DAUDPUR District- Saran

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Dashrath Yadav Son of Late Bihari Yadav R/o village - Gobarahi, P.S.-
Daudpur, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bishwajeet Singh, Adv.

For the Opposite Party/s : Mr. Raj Kishor Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-09-2022 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 through virtual mode.

The petitioner seeks regular bail in connection with
Daudpur P.S. Case No. 37 of 2022, lodged under Sections 341,
323, 307, 504, 506, 34 of the Indian Penal Code read with
Section 25(1-b)/ 27 of Arms Act.

As per the prosecution case, the dispute took place
during the *Aam Sabha* of the village and specific allegation is
against accused Satya Prakash Yadav who made firing by pistol.
The only allegation against the present petitioner is that he is the
order giver.

Learned counsel for the petitioner submits that

petitioner is an old aged person of about 70 years. He further submits that the informant is the Secretary and due to his illegal action there was murmuring in the *Aam Sabha*. He further submits that for the same date and place of occurrence there are case and counter case, the counter case is Annexure-2 of the present petition which has been filed by the wife of present petitioner. Learned counsel for the petitioner further submits that petitioner is a heart patient, whose treatment is going on in Indira Gandhi Institute of Medical Science (Annexure-3). He further submits that petitioner is in custody since 23.05.2022, 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 J.M., Saran in connection with Daudpur P.S. Case No. 37 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.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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