

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39063 of 2022

Arising Out of PS. Case No.-84 Year-2022 Thana- SANDESH District- Bhojpur

HIRA LAL YADAV SON OF LATE JAGDISH SINGH @ LATE JAGDISH
YADAV R/O VILLAGE- DEUAR, P.S.- SANDESH, DISTRICT- BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta
For the Opposite Party/s : Mrs.Rita Verma

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 14-11-2022 Learned counsel for the petitioner is permitted to make necessary correction in prayer portion of the petition during course of the day.

Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in connection with Sandesh P.S. Case No. 84 of 2022 registered for the offences punishable under Sections 302, 34, 354(a), 504 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, there is allegation against the petitioner and others of abusing and assaulting the informant.



Learned counsel for the petitioner submits that petitioner is in custody since 24.04.2022 and bears no criminal antecedent. He further submits that there is no specific overt-act against the petitioner rather allegations are general and omnibus in nature. He further submits that due to village politics name of petitioner has been dragged in this case. Allegation of firing is against co-accused Chandra Shekhar Yadav.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Sandesh P.S. Case No. 84 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will



remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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