

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48776 of 2021

Arising Out of PS. Case No.-108 Year-2020 Thana- MADANPUR District- Aurangabad

JAIRAM YADAV son of Mahendra Yadav Resident of village - Sinduara, P.S.
- Madanpur, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 25-03-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 23.05.2021, seeks
regular bail in connection with Madanpur P.S. Case No. 108 of
2020 registered for offences punishable under Sections 147,
148, 149, 341, 323, 504, 354(A), 379, 448, 427, 325, 307 of the
Indian Penal Code and Section 3, 4, 5 of the Dian Act, 1999.

Prosecution story in brief is that 17 accused persons
including the petitioner armed with *lathi*, *danda* and iron rod
entered into the house of the informant and assaulted the
informant and his family members. There is specific allegation
of assault has been made against one co-accused Hari Nath, who



had assaulted the father of the informant on head and as per the medical report, he sustained grievous injury.

Learned counsel appearing on behalf of the petitioner submits that general and omnibus allegation has been made against the petitioner. He was one of the members of the mob and similarly situated co-accused has already been released on bail by a co-ordinate Bench of this Court. Petitioner is in custody since 23.05.2021 and pleads to be released on bail on any terms and conditions imposed by this Court.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner.

Considering the facts and circumstances of the case, in absence of any specific allegation made against the petitioner, the petitioner, above named, is directed to be enlarged on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Madanpur P.S. Case No. 108 of 2020 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.



(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(Purnendu Singh, J)

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