

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39306 of 2022

Arising Out of PS. Case No.-27 Year-2022 Thana- GWALPARA District- Madhepura

BABLOO YADAV S/o Pulkit Yadav R/o village- Shyam, P.S.- Gwalpara,
District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 14-11-2022 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
Gwalpara P.S. Case No. 27 of 2022 registered for the offences
punishable under Sections 147, 148, 149, 224, 225, 341, 323,
307, 353, 504, 506 of the Indian Penal Code and Section 27 of
the Arms Act.

As per prosecution case, a scuffle took place
between the police party and the accused persons, who are
named in the F.I.R. in order to release companion of accused
and petitioner is one among them.

Learned counsel for the petitioner submits that



petitioner is in custody since 12.02.2022. Petitioner bears no criminal antecedent. Learned counsel further submits that from bare perusal of the F.I.R., there is no overt-act against the petitioner nor any arms were recovered from the possession of the petitioner. There is no specific allegation of assault or use of criminal force against petitioner to deter a public servant from discharge of duty. Learned counsel further submits that co-accused MahadevYadav and Sanjay Yadav have granted bail vide Cr. Misc. No. 34328 of 2022 and co-accused Himanshu Kumar has already been granted bail vide Cr. Misc. No. 33330 by a co-ordinate bench of this court and the case of present petitioner stands on similar footing.

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

Considering the facts and circumstances of the case as well as period of custody, keeping in view clean antecedent of the petitioner, co-accused persons on similar footing have already been granted bail by co-ordinate bench, argument advanced on behalf of the parties 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 Sub Divisional Judicial Magistrate, Udakishunganj, District Madhepura in connection with Gwalpara P.S. Case No. 27 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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