

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53037 of 2021**

Arising Out of PS. Case No.-28 Year-2021 Thana- KHAJAULI District-
Madhubani

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Suman Kumar Yadav Son of Rangbahadur Yadav Resident of Village-
Chhaprahi, P.S.- Khajauli, District- Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Subhash Kumar Jha, Advocate

For the State : Mr. Narsigh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 05-04-2022 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 324, 307, 34 of the Indian
Penal Code and Section 27 of the Arms Act.

As per allegation in the F.I.R., it has been alleged that
on 21.02.2021 at about 06:30 pm the informant was going home
Maharajganj by motorcycle after closing his jewellery shop and
when he reached near the bridge, three unknown miscreants on
motorcycle fired upon him. As a result, he fell down and the
miscreants were fled away. One unknown lady namely Munni



Devi reached there and informed the police. Police admitted him at Sadar Hospital, Madhubani and informed the family members.

Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. and he has been falsely implicated in the present case and his name has come only on the basis of confessional statement of the petitioner recorded in Khajauli P.S. Case No. 31 of 2021. He further submits that nothing has been recovered from the conscious possession of the petitioner. He further submits that medical report is not available on the record and the police after investigation submitted chargesheet against the petitioner. The petitioner is in jail custody since 27.03.2021.

Learned APP for the State vehemently opposed the prayer of the bail of the petitioner and submits that the petitioner carries three 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/- (Rupees 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 Khajauli P.S. Case No. 28 of 2021, 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, 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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