

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43178 of 2022

Arising Out of PS. Case No.-154 Year-2020 Thana- SONBERSA District- Saharsa

NARESH YADAV S/O POLI YADAV Resident of village- Khajuraha, P.S.-
Sonbarsa, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rashmi Jha, Adv.

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 28-09-2022 Heard the parties.

Petitioner is an accused in connection with Sonbarsa Raj PS Case No. 154/2020 registered for the offences punishable under Sections 341, 323, 324, 307, 504, 506/34 IPC and 27 of the Arms Act. He has renewed his prayer for bail inasmuch as earlier bail application of the petitioner was dismissed as withdrawn *vide* order dated 21.01.2022 passed in Cr. Misc. No. 39357/2021 with an observation that the petitioner may renew his prayer for bail after six months.

Allegation as per FIR is that the petitioner indiscriminately fired upon the informant due to which he sustained gun shot injury in his leg.

Learned counsel for the petitioner submits that though the petitioner is having criminal antecedents but in all the cases



he is on bail and in the present case, the injury sustained by the informant is on the non vital part of the body. She next submits that petitioner is in custody since 02.03.2021 and the trial is not likely to be concluded in near future.

This Court *vide* its order dated 24.08.2022 had called for a report and in pursuance thereof, the learned trial court has submitted its report dated 03.09.2022 and from perusal of the same, it appears that the case has only been committed to the court of sessions *vide* order dated 31.08.2022 and none of the witnesses has been examined as of today.

Regards being had to the submissions made by the parties, taking into consideration nature of allegation and the fact that this is the second attempt for bail on behalf of the petitioner, he is in custody since 02.03.2021 and the trial has not progressed substantially since last rejection, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, namely, named above, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of Sri Abhimanyu Kumar, Judicial Magistrate 1st Class, Saharsa/the court concerned in connection with Sonbarsa Raj PS Case No. 154/2020, subject to the



condition that the petitioner will be well represented on each and every date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

(Anil Kumar Sinha, J)

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