

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59731 of 2021

Arising Out of PS. Case No.-70 Year-2014 Thana- CHANDRADIP District- Jamui

Sakindra Yadav @ Sako Yadav, Son of Arjun Yadav, Resident of Village-
Bhaluana, P.S. - Chandradip, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 12-04-2022 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any, within

a period of four weeks from today.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks regular bail, who is in custody in
connection with Chandradip P.S. Case No.70 of 2014 (S.T. No.
07 of 2021) for the offences punishable under Sections 302,
120B/34 of the Indian Penal Code and Section 27 of the Arms
Act.

As per prosecution case, it is alleged that on
20.08.2014, the brother of the informant, namely, Pramod
Yadav, was going towards Aliganj Bazar to Chandradip by
motorcycle. In the way 5-6 criminals, who were sitting on silver
colour Bolero vehicle surrounded the informant's brother, who



tried to escape from their rescue, but all the criminals started indiscriminate firing, due to which the brother of the informant sustained bullet injury and thereafter the criminals fled away.

It is submitted by the learned counsel for the petitioner that there is general and omnibus allegation against all the accused persons; and so far as the informant is concerned, he is not the eye witness to the alleged occurrence. It is further submitted that other named co-accused persons, against whom there are similar allegations, have already been granted bail by different coordinate Benches of this Court, copies of which have been annexed as Annexure-2 series. It is next submitted that the petitioner is in custody since 25.11.2019, though, in connection with another case, however, in the present case he has been remanded on 18.09.2020 and since then he is in custody.

On the other hand, learned APP for the State has drawn the attention of this Court towards the antecedent of this petitioner, who has been found involved in eight cases. In reply to the aforesaid submissions, learned counsel for the petitioner submits that out of eight cases, the petitioner is on bail in seven cases and in one case, though the petitioner has implicated, but till date he has not been remanded.

Having heard the learned counsel for the parties and taking into consideration the fact that there is general and



omnibus allegation against this petitioner and other co-accused persons have already been granted bail by different co-ordinate Benches of this Court and the petitioner is in custody since 18.09.2020, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-III, Jamui in connection with Chandradip P.S. Case No.70 of 2014 (S.T. No. 07 of 2021) subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial. (ii) He will remain present on each and every date of trial till disposal of the case. (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial. (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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