

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60036 of 2021

Arising Out of PS. Case No.-59 Year-2021 Thana- SUIYA District- Banka

Chotu Kumar Yadav, Son of Nuneshwar Yadav, Resident of Village- Dhakna,
P.S.- Suiya, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, 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 Suiya P.S. Case No. 59 of 2021 for the offences punishable under Sections 341, 323, 307, 504 of the Indian Penal Code and Sections 3 and 4 of the Explosive Substance Act.

As per the prosecution case, it is alleged that on account of grazing of cow in the maize field of the informant, some altercation took place and it is alleged that this accused-petitioner abused and assaulted the informant with Tengari and



also thrown bomb on him with intention to kill him.

It is submitted on behalf of the petitioner that as per the allegation levelled in the F.I.R., it is evident that neither the informant nor any person has sustained any injury, much less, there is no injury report of any one on record. It is further submitted that so far the allegation of throwing of bomb is concerned, it is evident from the seizure list that no remnants of explosive substance like metal piece, iron, nail etc. has been found at the place of occurrence, except some pieces of paper and plastic. It is next submitted that this petitioner is in custody since 03.09.2021 and the investigation has already been completed and charge-sheet has also been submitted.

On the other hand, learned APP for the State opposes the prayer for bail of the petitioner.

Having considered the submissions of the parties and taking into consideration this fact that even as per the allegation neither the informant nor any person has sustained any injury and the petitioner is in custody since 03.09.2021 and the investigation is already completed, 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 Chief Judicial



Magistrate-I, Banka in connection with Suiya P.S. Case No. 59 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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