

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61413 of 2021**

Arising Out of PS. Case No.-52 Year-2021 Thana- BELDOUR District- Khagaria

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KRISHNA YADAV Son of Mafatlal Yadav @ Bhuvneshwar Yadav Resident
of Village - Sakrohar, P.S.- Beldaur, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Nawal Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-05-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Beldaur P.S. Case No. 52/2021 registered for the offences
punishable under Sections 307, 120-B of the Indian Penal Code
1860 and Section 27 of the Arms Act.

The allegation, as per the First Information Report, is
that the Police got secret information that petitioner along with
other accused persons have assembled in the Harlakhi Baihar
near Harlakhi Jalkar, proceeded towards the place of occurrence
and saw that some accused persons were sitting in the Tent and
a Motorcycle and one Alto Car belonging to the accused persons
were standing near the tent. It has further been alleged that when
the Police called the accused persons to surrender, they started



indiscriminate firing upon the Police party. The petitioner along with other accused persons have been identified by the Police party and two empty cartridges, a Motorcycle and one Alto Car have been recovered from the place of occurrence.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged. He further submits that from perusal of the First Information Report, it would be evident that the allegation of indiscriminate firing upon the Police Party, is on 6-7 accused persons, but only two empty cartridges have been recovered from the place of occurrence. He also submits that nobody has received injury due to the alleged indiscriminate firing made by the accused persons. Learned counsel next submits that other similarly situated co-accused namely Sonu Sah has been granted bail by this Court in Cr. Misc. 50986 of 2021. The petitioner is in custody since 12.07.2021 and charge sheet has already been submitted.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioner is in custody since 12.07.2021, nobody has received injury, two empty cartridges have been recovered from the place of occurrence whereas there is allegation of



firing upon 6-7 accused persons, charge sheet has already been submitted and similarly situated co-accused has been granted bail by this Court, I am inclined to grant regular bail to the petitioner, **after completion of one year in custody.**

Accordingly, let the petitioner, above named, be released on regular bail, **after completion of one year in custody,** on furnishing bail bonds of Rs.40,000/- (Forty thousand) with two sureties of the like amount each to the satisfaction of Smt. Pallavi Anand, learned Judicial Magistrate 1st Class, Khagaria, in connection with Beldaur P.S. Case No. 52 of 2021 subject to the condition that the petitioner will be well represented on each 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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