

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65171 of 2021**

Arising Out of PS. Case No.-311 Year-2019 Thana- RAJAON District- Banka

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Jangla Yadav @ Rahul Kumar Son of Subhash Yadav Resident of Village-
Khaira, P.S.- Rajoun, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 16-05-2022 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 307, 386/34 of the Indian
Penal Code and Section 27 of the Arms Act.

The allegation against the petitioner is that on
15.07.2019, due to way dispute, the petitioner and others were
abusing the informant and on protest, the petitioner and co-
accused Mukesh Yadav fired gun-shot from their pistols, which
hit the chest of Nityanand Yadav and the stomach of the
informant Rajhans Yadav @ Dablu Yadav. It is further alleged that



the petitioner and others also took Rs. 2,000/- and jewellerys, kept in the house of the informant.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. He further submits that the present case has been filed in retaliation to Rajoun P.S. Case No. 31 of 2019 filed by the side of the petitioner against the informant's side. He further submits that the injury report does not support the allegation as alleged in the F.I.R. and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 26.04.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case 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 Rajoun P.S. Case No. 311 of 2019, 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.

(3) 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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