

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68538 of 2021

Arising Out of PS. Case No.-244 Year-2017 Thana- BANKA District- Banka

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Laddu Yadav S/o Jagdish Yadav R/o village- Bari Dhaka, P.S.- Barahat,
District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate

For the Opposite Party/s : Ms. Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 18-07-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Banka
Barahat P.S. Case No. 244 of 2017 registered for the offence
under Sections 341, 147, 148, 149, 323, 307, 386, 379, 504 and
506 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 17.09.2021.

The allegation against the petitioner is to assault the
informant, alongwith other co-accused persons, with intention to
cause death.

Learned counsel appearing on behalf of the petitioner



submitted that the name of the petitioner surfaced on the basis of statement of witness, namely, Ashok Mandal, alongwith other named accused persons, during the course of investigation. It is submitted that named accused person, namely, Jamuna Yadav, has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. N. 57755 of 2018 dated 10.10.2018. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, while opposing the prayer of bail, fairly conceded that petitioner is not named in the F.I.R.

Considering the facts and circumstances as mentioned above, as the allegation of assault is very much general and omnibus in nature coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Banka Barahat P.S. Case No. 244 of 2017 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Banka, subject to the following conditions:

“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by the documents.

(ii) That one of the bailors shall be Rajiv Yadav, who is the brother of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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