

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2107 of 2023

Arising Out of PS. Case No.-446 Year-2020 Thana- DUMRAO District- Buxar

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DHARAMDEO YADAV @ DHARM DEO YADAV Son of Late Harikishun
Yadav R/V- Pratapsagar, P.S- Dumraon (Naya Bhojpur O.P) Dist- Buxar
Bihar Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Arvind Kumar Pradhan
For the Opposite Party/s :	Mr.Raj Ballabh Singh
For the Informant :	Mr. M.K. Sinha
	Mr. S.C. Pandey

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 06-04-2023 Heard learned counsel for the petitioner as well as learned
APP for the State.

In this case, the petitioner is seeking regular bail in connection with Dumraon (Naya Bhojpur O.P.) P.S. Case No. 446 of 2020, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 302, 506 of the Indian Penal Code and Section 27 of Arms Act.

The learned counsel for the petitioner has submitted that there is no allegation on the petitioner of opening fire at the deceased. Only allegation against him is that he, along with other co-accused has brandished fire arms on the deceased. He has submitted further that co-accused Rajdev Yadav, against whom there was allegation of catching legs of the deceased, has been granted anticipatory bail by the co-ordinate Bench in Cr. Misc. No. 35086 of 2022. Co-accused Saroj Yadav, against whom there was allegation of catching both legs of the deceased, has also been granted bail in Cr. Misc. No. 4134 of 2023 and the case of the petitioner is on better footing than those accused persons.



On the other hand, the learned APP has opposed the prayer for bail.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Dumraon (Naya Bhojpur O.P.) P.S. Case No. 446 of 2020, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available on each and every date of trial. In case of failure on two consecutive dates without any valid reason, the learned court below will be at liberty to cancel the bail bond of the petitioner.
- (ii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (iii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

Nirmal/Kundan

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