

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20195 of 2023**

Arising Out of PS. Case No.-278 Year-2022 Thana- BALIYA District- Begusarai

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RUDAL YADAV S/O CHANDRADEO YADAV @ HAKRU YADAV R/v-
Kaswa, P.S.- Ballia, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anshul, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 17-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Ballia P.S. Case No.278 of 2022 instituted under Section 307/34 of the IPC and Section 27 Arms Act lodged on 12.10.2022 by the informant Bablu Mahto.

As per the prosecution story, the informant has alleged that Munna Mahto and other co-accused opened fire causing injuries on his both hands. Accordingly, the FIR.

The case of the petitioner is that in the FIR it has been specifically stated that Munna Mahto opened fire thereafter the accused persons also resorted to firing, petitioner being one of them. According to him there are only two injuries on his both hands by gun shot while allegation is against six accused persons.

Learned APP opposes the prayer for bail stating that



allegation against him is of opening fire and the injuries on hand have been found to be grievous.

Taking into account the aforesaid submissions put forward by the learned counsel for the petitioner as also that omnibus allegation is against him, against six accused persons, two bullet injuries have been found to have hit the informant, is in custody since 14.10.2022 (para-10 of the petition), this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Ballia P.S. Case No.278 of 2022 to the satisfaction of learned Chief Judicial Magistrate, Begusarai, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark



attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan

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