

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23784 of 2023

Arising Out of PS. Case No.-25 Year-2020 Thana- KISHUNPUR District- Supaul

UPENDRA YADAV @ UPENDRA KUMAR YADAV SON BINDESHWARI
YADAV RESIDENT OF VILLAGE- NAWABAKHAR (WARD nO. 16) PS-
KISHANPUR, DISTT- SUPAUL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Jha

For the Opposite Party/s : Mr.Shailendra Kumar

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

ORAL ORDER

2 24-04-2023 Heard the learned counsel for the petitioner, the

learned counsel for the informant and the learned APP for the

State.

This is an application for regular bail on behalf of

the petitioner for the offences alleged under Sections 147, 148,

149, 341, 342, 323, 307, 504 and 506 of the Indian Penal Code

including Section 27 of the Arms Act, registered in connection

with Kishunpur P.S.Case No.25 of 2020(S.T.No.555 of 2022).

As per allegation, the informant along with his

younger daughter was shopping at the occasion of marriage of

his elder daughter and after shopping when he was returning to

his village, 12 named accused persons along 3-4 unknown

persons, lying in ambush, surrounded his motor-cycle and at the



order of co-accused Surya Narayan Yadav, co-accused Indra Kumar Yadav, Manoj Yadav, Rahul Yadav, Chandan Kumar and Gautam Kumar started indiscriminate firing at the informant and his daughter and made them badly injured.

The learned counsel for the petitioner Upendra Yadav @ Upendra Kumar Yadav has submitted that there is no specific allegation on him to open fire and on similar ground some accused persons have been granted bail.

On the other hand, Mr. Shailendra Kumar, learned APP for the State and learned counsel for the informant have opposed the prayer for bail.

Considering the above facts and circumstances, let the petitioner Upendra Yadav @ Upendra Kumar Yadav above-named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I, Supaul in connection with Kishanpur P.S.Case No. 25 of 2020 (S.T.No.555 of 2022), subject to the following conditions:-

1. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
2. 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)

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