

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38489 of 2023

Arising Out of PS. Case No.-434 Year-2017 Thana- RAMPUR District- Gaya

Kallu Yadav @ Jitendra Kumar Son of Dadu Yadav Village Golbigha Thana
Rampur District Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Priya Ranjan, Advocate
	Mr. Mukesh Kumar, Advocate
	Mr. Satya Veer, Advocate
For the Opposite Party/s :	Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 07-08-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

2. The petitioner seeks bail in connection with
Rampur P.S. Case No. 434 of 2017 (G. R. No. 8193/2017)
registered for the offence under Sections 307, 427, 506/34 of the
Indian Penal Code and Section 27 of the Arms Act and Section
3/4/5 of the Explosive Substance Act.

3. The accused/petitioner is named in the F.I.R. and
is in custody since 23.04.2023.

4. The allegation against the petitioner is to assault
informant and others alongwith other co-accused persons/family
members and also throwing a bomb upon them causing injury,
having intention to cause their death, where occurrence arises
out of previous pending criminal litigation i.e. Civil Line P. S.



Case No. 118/2011 and Rampur P.S. Case No. 420/2017.

5. Learned counsel appearing on behalf of the petitioner submitted that the allegation against this petitioner is appearing very much general and omnibus in nature, where implication appears only out of enmities arises out of pending criminal litigation. It is further pointed out that similarly situated co-accused, namely, Bhim Yadav has already granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 7213 of 2023 vide order dated 05.05.2023. While concluding the argument, it has been submitted that petitioner found involved in three more criminal cases, where he is on bail and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above, and by taking note of the fact as allegation *qua* physical assault is appearing very much general and omnibus against this petitioner coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 23.04.2023, accordingly, above named petitioner



is directed to be released on bail in connection with Rampur P.S.
Case No. 434 of 2021 (G.R. No. 8193/2017) on furnishing bail
bond of Rs.10,000/- (Rupees Ten Thousand only) with two
sureties of the like amount each to the satisfaction of learned
Chief Judicial Magistrate, Gaya/concerned court, subject to the
conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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