

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42953 of 2022

Arising Out of PS. Case No.-33 Year-2020 Thana- ASARGANJ District- Munger

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Raja Ram Yadav Son of Fucho Yadav, Resident of Village - Dulhar, P.S.-
Asarganj, Distt.- Munger.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	: Md. Harun Quareshi, Advocate
For the Opposite Party/s	: Mr. Upendra Kumar, A.P.P.
For the Informant	: Md. Abdul Mannan Khan, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 16-02-2023 Heard learned counsel for the petitioner and learned

counsel for the informant as well as learned Additional Public

Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 147, 148, 149, 341, 307,
504, 506 of the Indian Penal Code and Section 27 of Arms Act.

According to prosecution case, as per F.I.R. is that on
06.06.2022 the husband of the informant went out of the house
for easing, in the meantime, hearing hulla near the house of
Chandramani Singh, she came out of the house and went there
and saw that petitioner along with other accused persons were
abusing Chandrmani Singh and petitioner and Raja Ram took
out pistol from their waist and started firing the firing made by
Raja Ram shot her husband and he fell down and thereafter the



accused persons fled away.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case due to dirty village politics. He further submits that as per allegation as alleged in the F.I.R. that the petitioner has fired the husband of the informant and the injury report also suggest that one bullet is found and the injury is grievous in nature. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 25.03.2022.

The learned counsel for the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that there is direct allegation against the petitioner that he fired the husband of the informant and the injury report also suggest that the injury is grievous in nature.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail, **after framing of charge**, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Asarganj P.S. Case No. 33 of 2020,



subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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