

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49957 of 2023

Arising Out of PS. Case No.-22 Year-2020 Thana- SHAMBHUGANJ District- Banka

GAURAV YADAV Son of Ashok Yadav Resident of Village-Katahara, Police
Station-Sultanganj, District-Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-08-2023 Heard the parties.

The petitioner is an accused in connection with Shambhuganj P.S. Case No. 22 of 2020 registered for the offences under sections 341, 323, 307, 448, 504, 506 and 34 of the Indian Penal Code and section 27 of the Arms Act lodged on 29.01.2020 by the informant, Guddu Yadav.

As per the prosecution story, due to dispute of dance on music in a marriage ceremony, the accused persons attacked the informant's side and allegation is that the informant received gun-shot injury on his head. Accordingly, the FIR.

Learned Counsel for the petitioner has taken this Court to the learned Sessions Judge order to show that no gun-shot injury has been found on the informant and even the alleged injury has been found to be simple in nature.



Learned APP for the State, on the other hand, opposes the prayer for bail.

Taking into account the submissions put forward by the learned Counsel for the petitioner as also that the injury has been found to be simple in nature and no fire arm injury is there on the person of the informant, this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned A.C.J.M. IV, Banka in connection with Shambhuganj P.S. Case No. 22 of 2020, subject to the 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 month for next one year 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 his 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.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

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