

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57081 of 2023

Arising Out of PS. Case No.-52 Year-2021 Thana- BELDOUR District- Khagaria

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RAMKRISHNA YADAV @ RAMU YADAV @ RAMO YADAV S/O Late
Mafatlal Yadav R/O Village- Shakrohar, P.S- Beldour, Distt.- Khagadia.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajnish Kumar Singh, Adv.

For the Opposite Party/s : Mr.Jai Narain Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-09-2023 Heard learned counsel for the petitioner and Mr. Jai
Narain Thakur, learned A.P.P. for the State.

The petitioner seeks bail in connection with
Beldaur P.S. Case No. 52 of 2021 dated 15.03.2021 registered
for the offence under Sections 307 and 120B of the Indian
Penal Code and Section 27 of the Arms Act.

The petitioner along with other accused persons
are alleged to have been planning to commit crime in
Beldour area and on the raid conducted by the police, the
accused persons present their fired indiscriminately upon
the police personnel and escaped from there.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been



implicated in this case. He further submits that the allegation, as alleged in the F.I.R., is false and fabricated and the petitioner has not committed any offence. He further submits that according to the F.I.R., the petitioner along with other accused persons have indiscriminately fired upon the police personnel but no one has sustained injuries and only two empty cartridges have been recovered from the place of occurrence. He further submits that no case under Section 307 of the Indian Penal Code is made out against the petitioner. Moreover, co-accused, Sonu Sah, Sulo Sah @ Surendra Sah @ Sulo and Krishna Yadav along with Bilash Mehta, against whom similar allegations have been levelled in the F.I.R. have already been granted bail by a co-ordinate Bench of this Court vide order dated 08.04.2022, 05.07.2022 and 24.05.2022 passed in Cr. Misc. No. 50986 of 2021, Cr. Misc. No. 58018 of 2021 and Cr. Misc. No. 61413 of 2021 respectively. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 28.02.2022.

Learned A.P.P. for the State on the basis of material available on record and the case diary vehemently opposed



the prayer for bail of the petitioner and submits that the petitioner carries six more cases other than the present one and he submits that the petitioner is on bail in three cases out of six.

Considering the facts and circumstances of the case, let the, above named, petitioner 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-V, Khagaria in connection with Beldaur P.S. Case No. 52 of 2021/ Sessions Trial No. 1 of 2023 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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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