

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64499 of 2023

Arising Out of PS. Case No.-580 Year-2021 Thana- AMARPUR District- Banka

Pandu Yadav Son of Sachidanand Yadav @ Sachidanand Yadav Resident of
Village-Barmasiya, Police Station-Amarpur, District-Banka

... .. 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. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Amarpur P.S. Case No. 580 of 2021 lodged under Sections
302/392 of the Indian Penal Code and under Section 27 of the
Arms Act.

3. As per the prosecution case, the FIR has been
lodged against three unknown accused persons against whom
allegation of firing on the informant's friend is there.

4. Learned counsel for the petitioner submits that the
petitioner is not named in the FIR; rather his name has figured
in this case by virtue of confessional statement of co-accused
Ujjwal Singh. In the confessional statement Ujjwal Singh
named three accused persons, namely, Vikash Kumar, Mithun



Yadav and the present petitioner. Counsel for the petitioner submits that Ujjwal, Vikash Kumar and Mithun Yadav have been granted bail by this Court as well as by the co-ordinate Bench of this Court vide Annexures-P/2 series and P/3. Counsel for the petitioner submits that antecedent of the petitioner is clean. He is in custody since 28.06.2023. Charge sheet against the petitioner has already been submitted in this case.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Amarpur P.S. Case No.580/2021, 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



bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for 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 evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(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.

(Dr. Anshuman, J)

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