

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69644 of 2023

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

Mukesh Yadav, son of Ashok Yadav Village- Katahara P.S.- Sultanganj Dist-
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 : Ms. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Shambhuganj P.S. Case No. 22 of 2020, lodged on 29.01.2020
under Sections 341, 323, 307, 448, 504, 506 & 34 of the Indian
Penal Code and under section 27 of Arms Act.

3. As per the prosecution case, the FIR has been
lodged against 5 named accused persons including the present
petitioner and from the contents of the FIR, it transpires that the
dispute took place in the village for dancing in the orchestra.

4. Learned counsel for the petitioner submits that
there is one criminal case pending against the petitioner in
which he is on bail. He also submits that the petitioner is in
custody since 10.03.2023 and the charge has already been



framed in this case and the case has been committed to the court of Sessions and the Sessions trial number is also there. He further submits that the other co-accused person has been granted regular bail by a co-ordinate Bench of this Court vide order dated 18.08.2023 passed in Criminal Miscellaneous No. 49957 of 2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the charge has been framed and the trial has commenced.

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 Additional District and Sessions Judge-IV, Banka in connection with Shambhuganj P.S. Case No. 22 of 2020, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as 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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