

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11017 of 2024

Arising Out of PS. Case No.-81 Year-2023 Thana- TEYAR District- Bhojpur

Lallu Yadav Son of - Teju Yadav Resident of Village - Tiyar, P.S.- Tiyar,
District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Priya, Advocate

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Tiyar P.S. Case No. 81/2023 lodged on 23.11.2023 under
Sections 341, 323, 307, 34, 504, 506 of the Indian Penal Code
and 27 of the Arms Act.

3. As per the prosecution case, the FIR has been
lodged against three named accused persons, including the
present petitioner against whom there is allegation of firing
from a gun.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. From the
content of the FIR, it itself appears that in the background of
land dispute, the present case has been lodged. There is
allegation of firing from a gun, but from the said gunshot injury



has not been caused to anyone. The chargesheet has already been submitted. The petitioner is in custody since 20.12.2023 and is accused in 5 more criminal cases.

5. Learned counsel for the State opposes the prayer for bail and submits that at the time of considering the prayer for bail of the petitioner, this aspect must be taken into consideration that the antecedent of the petitioner is not clean.

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 JM 1st Class, Bhojpur at Ara, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other 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.

7. The learned court below shall release the petitioner on bail only after framing of charge, if not framed as well as on being satisfied that the petitioner is not absconding in any of the cases as mentioned in paragraph no.3 of the petition as under :-

(I) Tiyar P.S. Case No. 43/2017

(ii) Tiyar P.S. Case No. 73/2019

(iii) Tiyar P.S. Case No. 24/2020

(iv) Tiyar P.S. Case No. 101/2020

(v) Tiyar P.S. Case No. 118/2022

(Dr. Anshuman, J)

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