

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17620 of 2024**

Arising Out of PS. Case No.-236 Year-2023 Thana- ARIYARI District- Sheikhpura

Prashuram Yadav @ Parashuram Yadav @ Parshu Ram Yadav Son of Badri  
Yadav R/o Village- Fulchodh, P.S.- Ariyari, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pankaj Kumar, Adv.

For the Opposite Party/s : Mr.Braj Kishore Pd.(APP)

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**

ORAL ORDER

2      14-03-2024                      Heard learned counsel for the petitioner, learned  
A.P.P. for the State and learned counsel for the informant.

2. The petitioner seeks regular bail in connection with  
Ariyari (Mahuli) P.S. Case No.236 of 2023 lodged under  
Sections 307, 504, 506 and 34 of the I.P.C. read with Section 27  
of the Arms Act.

3. As per the prosecution case, the F.I.R. has been  
lodged against three named accused persons including the  
petitioner against whom there is allegation of firing a bullet shot  
from pistol which hits the informant's brother.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence. He submits  
that from the content of F.I.R., it is very clear that during  
agriculture season, the dispute has arisen between the petitioner  
and the informant's side for the boundary of the field.

5. Counsel further submits that the specific allegation  
against the co-accused, Sunil Kumar and not against the



petitioner and only allegation of abuse is there in the F.I.R..

6. Counsel further submits that petitioner's antecedent is not clean and there is two criminal cases pending against him in which he is on bail and he is in custody since 11.11.2023 and charge-sheet has already been filed in this case.

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

8. Learned counsel for the informant vehemently opposes the prayer for bail and submits that case diary may be called for as in the case diary, the allegation has also come against the petitioner about firing.

9. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st Sheikhpura in connection with Ariyari (Mahuli) P.S. Case No.236 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C. 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.

10. However, the petitioner shall be granted bail only on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are as follows:-

- i. Ariyari (Mahuli) P.S. Case No.152 of 2017.
- ii. Ariyari (Mahuli) P.S. Case No.153 of 2017.

**(Dr. Anshuman, J.)**

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