

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32690 of 2024

Arising Out of PS. Case No.-41 Year-2021 Thana- SHANKARPUR District- Madhepura

Pramod Yadav @ Pramod Kumar Yadav son of Late Satyanarayan Yadav R/o
Village- Raybhir, P.S.- Shankarpur, Dist.- Madhepura

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Praveen Ranjan, Advocate

For the Opposite Party/s : Mr.Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 26-04-2024 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with

Shankarpur P.S. Case No. 41/2021 registered for the offence

under Sections 341, 323, 386, 307, 506/34 of the Indian

Penal Code and Section 27 of the Arms Act.

3. The accused/petitioner is not named in the F.I.R.

and is in custody since 18.10.2023.

4. The allegation against this petitioner is to ask

ransom of Rs.10 lakhs and also open fire upon informant

alongwith other co-accused persons causing bullet injuries.

5. Learned counsel appearing on behalf of the

petitioner submitted that petitioner was implicated falsely with

this case for the reason that he is the father of main co-



accused Guddu Kumar @ Guddu Yadav, who has already granted bail by this Court through Cr. Misc. No. 31570 of 2023 vide order dated 20.06.2023. It is further submitted that nothing cogent material surfaced during the course of investigation, which may connect petitioner, *prima facie*, with alleged occurrence. It is also submitted that petitioner found involved in total 09 cases where he is on bail in six cases and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above, and by taking note of the fact that petitioner is the father of main co-accused Guddu Kumar @ Guddu Yadav, who has already granted bail by this Court through Cr. Misc. No. 31570 of 2023 vide order dated 20.06.2023 and, *prima-facia*, allegation appears against him very much general and omnibus as per narration of F.I.R., coupled with the fact that charge-sheet has been submitted, where petitioner is in custody since 18.10.2023, accordingly the petitioner, above named, is directed to be released on bail in connection with



Shankarpur P.S. Case No. 41/2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Madhepura/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C., with further conditions:-"

- (i) That accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.
- (ii) That accused/petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by the documents.
- (iii) That one of the bailors shall be deponent of the present bail petition."

(Chandra Shekhar Jha, J.)

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