

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46159 of 2024

Arising Out of PS. Case No.-139 Year-2023 Thana- CHAUSA District- Madhepura

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Veer Yadav @ Ranveer Yadav S/o Sakoj Yadav Resident of village Barikhal
phulaut Purvi Ward No 11 PS Chausa Phulaut OP District Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Barun Kumar Singh, Adv.

For the Opposite Party/s : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 18-09-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Chausa (Phulaut O.P) P.S. Case No. 139 of 2023 for the offences punishable under Sections 302/34, of the Indian Penal Code and Section 27 of the Arms Act lodged on 24.05.2023 by the informant, Rishi Kumar.

3. As per the prosecution story, the informant alleged that when he along with his brother had gone to the shop of one Krishna Mandal to have snacks, the accused persons came on their horses armed variously and forced him to call his father whereafter after abusing his father, Jay Jay Yadav opened fire which hit his father who subsequently, succumbed to the injuries. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that in



the belated FIR lodged after 48 hours and when after the postmortem was done, a number of persons have been implicated. Admitted fact is that Jay Jay Yadav opened fire which hit the informant's father causing his death, to implicate other, they have been named later on. Though he concedes that he has got criminal antecedent but has remained in custody since 13.03.2024 (para-11 of the petition).

5. Mr. Bharat Bhushan, learned APP takes this Court paragraph-101 of the case diary wherein Jay Jay Yadav has made confessional statement narrating the entire story in which he has also named one Shabnam Yadav as the person who provided him arms. The role of this petitioner is that of part of the unlawful assembly and the postmortem report also records single injury causing death of the informant's father.

6. In that background, taking into account his period of custody as also the allegation, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Udakishunganj, Madhepura in connection with aforesaid P.S. Case subject to the following



conditions:

(i) one of the bailors 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 bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(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 his bail bonds.

(Rajiv Roy, J)

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