

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1114 of 2024

Arising Out of PS. Case No.-132 Year-2005 Thana- GOGRI District- Khagaria

Sudan Yadav @ Sudhan Yadav S/O Puran Yadav R/O Village- Goraiyabathan,
P.S- Gori, Distt.- Khagaria (BIHAR).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Sharda Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

5 14-05-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Gogari P.S. Case No. 132/2005, registered for the offences punishable under sections 341, 307, 326, 504/34 of the Indian Penal Code and section 25 (1-B)A, 26, 27/35 of the Arms Act.

3. As per the prosecution case, the petitioner and other co-accused persons are alleged to have abused the informant and fired on him which hit his left side of chest. When the informant raised hulla, local people gathered there and the petitioner was apprehended.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner was on bail but the bail bond of petitioner was cancelled on 19.11.2010 for want of Pairvikar. It is further submitted that the petitioner's pairvikar did not inform the petitioner regarding the cancellation of his bail bond, therefore, the petitioner could not attend the court on the fixed date. This is first misuse of bail by the petitioner. The petitioner has one criminal antecedent in which he is on bail as stated in para 3 of the bail petition. Nine witnesses have been examined out of eleven witnesses. The petitioner is in custody since 05.07.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Khagaria in connection with Gogari P.S. Case No. 132/2005, with a condition:-

(i) The petitioner is directed to remain physically



present before the learned Court below on each and every date,
failing which on two consecutive dates without reasonable
cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Ranjeet/-

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