

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79803 of 2024

Arising Out of PS. Case No.-42 Year-2003 Thana- DUMRAO District- Buxar

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Satyanarayan Yadav @ Satya Narayan Singh Son of Ramlakshan Yadav
Resident of village- Najirganj, P.s.- Koran Sarai, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Anish Chandra, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 02-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Dumraon P.S. Case No. 42 of 2003 instituted for the offences
under Sections 452, 324, 326, 307, 34 of the Indian Penal Code
and Section 27 of the Arms Act and later on Section 302 of the
I.P.C. was added.

3. Prosecution case, in short, is that some unknown
miscreants armed with weapons entered the house of the
informant and assaulted him and his family members due to
which they sustained injuries. It is further alleged that one of the
accused fired upon the informant due to which he sustained
injuries.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. The present case is the case of misuse of privilege of bail granted to the petitioner. He further submitted that earlier, the petitioner was granted bail 24.02.2004 by the learned court below. Further, on 20.03.2024, the petitioner was ordered to appear in person on 07.05.2024 but the petitioner could not appear before the learned court below due to illness. Thereafter, on 09.07.2024 process under Section 82 of the Cr.P.C. was issued against the petitioner for non-compliance of the said order and petitioner was arrested on 28.08.2024. Learned counsel further submitted that petitioner undertakes to abide by any condition(s) imposed by this Court, if released on bail. It has been submitted on behalf of the petitioner that the petitioner has eight criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner as also the undertaking given by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing



bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dumraon P.S. Case No. 42 of 2003, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses or violates the undertaking given on his behalf, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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