

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82065 of 2023

Arising Out of PS. Case No.-140 Year-2023 Thana- SHEKHPURA District- Sheikhpura

KHALASI YADAV SON OF UMESH YADAV RESIDENT OF VILLAGE-
DHARAMPUR, POLICE STATION- SHEIKHPURA, DISTRICT-
SHEIKHPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Sheikhpura (Hathiawan O.P) P.S. Case No. 140 of 2023 registered on 09.03.2023 lodged under Sections 147, 148, 149, 323, 324, 307, 379, 504 and 506 of the I.P.C. and Section 27 of the Arms Act.

3. As per the prosecution case, F.I.R. has been lodged against six named accused persons including the petitioner that he has fired gun shot on the informant's wife due to which the left shoulder of the informant became injured. When informant reached there to save his wife, petitioner has fired second gun shot which injured his right hand.

4. Counsel for the petitioner submits that both are well



known to each other and the residents of same village.

5. Counsel further submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 22.09.2023 having no criminal case pending against him, in which he is on bail.

6. Learned counsel for the State opposes the prayer for bail and submits that there is specific allegation upon the petitioner for making gun shot.

7. Upon specific query made by this Court that whether charge has been framed or not, counsel for the petitioner submits that he is not aware of this fact that charge has been framed or not.

8. 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 the charge is not framed yet*** and on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura in connection with Sheikhpura (Hathiawan O.P) P.S. Case No. 140 of 2023, subject to the following conditions as well as the conditions laid down under Section 437 (3) of the Cr.P.C.



(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.

(Dr. Anshuman, J)

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