

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12575 of 2025

Arising Out of PS. Case No.-265 Year-2014 Thana- GOGRI District- Khagaria

Sudan Yadav S/o- Late Puran Yadav Resident of Village-Goraiabathan, P.S-
Gogri, District-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 : Dr. Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 20-06-2025

Heard the parties.

2. The petitioner is in judicial custody in connection with Session Trial Case No. No. 526 of 2024 arising out of Gogri P.S. Case No. 265 of 2014 for the offence punishable under sections 147, 148, 149, 324, 307, 504 of the Indian Penal Code and 27 of the Arms Act.

3. The prosecution story, in brief, is that the informant submitted his written report before Officer-in-Charge of Gogari P.S. on 02.12.2014 alleging that on 02.12.2014, when Pramod Yadav was sitting at his door, the petitioner herein and seven others armed with deadly weapons came there and started abusing him. Thereafter, allegation is that they resorted to firing upon Pramod Yadav as a result, the brother of the informant sustained serious injury.



4. Learned counsel for the petitioner submits that he has remained in custody since 10.01.2023, charges have been framed, the trial has still not commenced, if granted bail, he shall be diligently appearing in trial without fail, shall also be visiting the police station every fortnight till the conclusion of the trial.

5. Learned APP opposes the prayer submitting that though omnibus in nature, allegation against him is of assaulting the injured. He also has criminal antecedent and delayed coming to the Court, the FIR being of the year 2014.

6. Though the allegation is there, the petitioner will be facing the music, the fact remains that he has remained in custody since 10.01.2023, the trial has still not commenced, as informed, if granted bail, he shall be diligently appearing in trial without fail and shall also be visiting the police station every fortnight till the conclusion of the trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge VIII, Khagaria, in connection with Session



Trial Case No. 526 of 2024 arising out of Gogri P.S. Case No. 265 of 2014, subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her 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 fortnight till the conclusion of the trial 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)

Raj Ranjan/-

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