

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27220 of 2021

Arising Out of PS. Case No.-484 Year-2020 Thana- GHOSI District- Jehanabad

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NARESH YADAV S/o Late Loki Yadav Resident of Village- Pakhanpur
Laxmipur, P.S.- Ghosi, Dist- Jehanabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Kumari Sujata Sinha, Advocate

For the Opposite Party/s : Mr.A.G

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-07-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section and other ancillary sections of the Indian Penal Code.

As per the prosecution case, on 25.10.2020 at about 11 PM while informant's nephew was sleeping, the petitioner and other accused persons having rifle, katta in their hands fired upon his house. On hearing the firing sound, villagers came thereafter accused persons fled away. However, during course of fleeing they fired and injured one Bunda Bind who died in course of treatment at PMCH, Patna.

Learned counsel for the petitioner submits that as per the FIR, there is general and omnibus allegation against all the accused persons including the petitioner and no specific



allegation of overt act has been alleged against him. Wife of the deceased, claiming herself to be eye witness of the occurrence, has not named the petitioner in her fard beyan given before police on 27.10.2020. Petitioner has claimed clean antecedent and he is in custody since 26.10.2020. Investigation is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the rival submissions of the parties and the materials available on the record, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Jehanabad in Ghosi Police Station Case No. 484 of 2020 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Prabhat Kumar Singh, J)

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