

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.11232 of 2015**

Arising Out of PS.Case No. -216 Year- 2012 Thana -DHANARUA District- PATNA

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Rohan Yadav Son of Late Baleshwar Yadav Resident of village - Nijamat,  
P.S. Dhanarua, District - Patna

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA**  
**ORAL ORDER**

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2      25-05-2015

Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Sections 302, 307 and some other allied offences of the Indian Penal Code as also under Section 27 of the Arms Act.

Though the petitioner, besides others, is named in the first information report vide Annexure-1 as accused, but taking into consideration the fact that the allegation against him is general and omnibus in nature and there is specific allegation in the FIR that on the order of co-accused Baleshwar Yadav, co-accused Upendra Yadav fired from his country made rifle resulting into the death of the deceased on the spot and further taking into consideration the fact that the petitioner is in judicial custody since 08.10.2012 i.e. more than two and half years, his prayer for bail is allowed. The above named petitioner is ordered to be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions

Judge X, Patna in connection with Sessions Trial No. 658 of 2013 arising out of Dhanarua P.S.Case No. 266 of 2012, subject to the following conditions:

(A) one of the bailors must be a government servant or close family member or close relation of the petitioner who will file an affidavit in the court below showing his/her relationship with the petitioner,

(B) if the petitioner is found involved in same and similar nature of cases in future, then in that case, the informant/prosecution shall be at liberty to file a petition for cancellation of bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned, and

(C) the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every dates, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bond of the petitioner.

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**(Birendra Prasad Verma, J)**

Tahir/-

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