

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35979 of 2015

Arising Out of PS.Case No. -40 Year- 2005 Thana -ATRI District- GAYA

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1. Rabindra Yadav @ Rabindra Prasad Yadav Son of Sri Saryu Yadav
resident of village - Daulatpur, Police Station - Atari in the District of Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. Satyendra Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 02-11-2015 Heard learned counsel for the petitioner and learned

counsel for the informant as well as learned Additional Public

Prosecutor for the State.

An omnibus allegation of firing has been leveled

against the petitioner and several other co-accused persons. It is an

admitted position that in the year 2006 police submitted final

form in respect of petitioner which was accepted by the court

below but the aforesaid order of acceptance was set aside by a co-

ordinate Bench of this Court vide order dated 18.09.2009 passed

in Cr. Misc. No. 29866 of 2007 and after that petitioner

approached this Court for grant of anticipatory bail but failed to

get any relief from this Court and, thereafter, he could be

remanded in this case from another case on 24.03.2015. Moreover,

one co-accused namely, Baleshwar Yadav, having similar allegation has already been granted privilege of bail by a co-ordinate Bench of this Court vide order dated 24.05.2010 passed in Cr. Misc. No. 16752 of 2010.

Accordingly, petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gaya in connection with Atri P.S.Case No. 40 of 2005, subject to the condition that petitioner shall attend the trial court on each and every date for the period of one year or till conclusion of his trial which ever is earlier and if he fails to do so on two consecutive dates without any reasonable cause the concerned court shall be at liberty to cancel the bail bonds of the petitioner.

(Hemant Kumar Srivastava, J)

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