

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45015 of 2014

Arising Out of PS.Case No. -6 Year- 2014 Thana -IMADPUR District- BHOJPUR

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Raju Ranjan Yadav son of Sri Ram Brat Yadav, resident of Village-
Hichhan Bigha, P.S.- Daudnagar, District- Aurangabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Singh

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 04-02-2015

Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Sections 302/34 and some other allied offences under the Indian Penal Code as also under Section 27 of the Arms Act.

Learned counsel appearing on behalf of the petitioner submits that though the petitioner is also one of the named accused in the F.I.R. (Annexure-1), but there is specific allegation against co-accused Govind Yadav, who is alleged to have fired, as a result of which Upendra Tiwari died on the spot. It is further contended that at best the petitioner can be termed as a member of mob. It is highlighted that the petitioner is in judicial custody since 19.07.2014.

Taking into consideration the fact that the petitioner is not the assailant of the deceased and he is in judicial custody since 19.07.2014, the prayer for bail is allowed. The petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at

Ara in connection with Imadpur P.S. Case No. 06 of 2014, subject to the conditions that:

- (A) One of the bailors must be government servant or close family member 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 the 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 bonds of the petitioner.

(Birendra Prasad Verma, J)

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