

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49254 of 2015

Arising Out of PS.Case No. -245 Year- 2014 Thana -DARAUNDA District- SIWAN

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Rajeshwar Yadav @ Ishwar Yadav, Son of Surajdeo Yadav, Resident of
village- Kishunbari, P.S. Siswan, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Singh

For the Opposite Party/s : Mr. Pramod Kr.Panday(App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 04-11-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in
connection with Daraunda (M.H. Nagar) P.S. Case No. 245 of
2014 registered for offences under sections 395/397 of the Indian
Penal Code and later on, Section 412 of the Indian Penal Code has
been added.

Some criminal has committed the Dacoity in the
house of the informant and also assaulted the inmate.

The counsel for the petitioner submits that the Police
has wrongly roped the petitioner in the present case, as neither TIP
has been conducted nor any incriminating material has been found
from his possession and only his name has surfaced on account of

confessional statement of Bhola Ram. Other co-accused persons, namely, Jabbar Nut and Hare Ram Mahto have already been granted bail by this Court in Cr. Misc. Nos. 15205 and 42912 of 2015.

Looking to the facts and circumstances of the case, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Daraunda (M.H. Nagar) P.S. Case No. 245 of 2014, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds.

(Shivaji Pandey, J)

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