

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53829 of 2015

Arising Out of PS.Case No. -113 Year- 2011 Thana -SALKHUA District- SAHARSA

1. Chhabila Yadav @ Chhabilal Yadav @ Chhabiya Yadav, Son of Late Tikuli Yadav @ Dashrath Yadav, Resident of Village- Amni, P.S.- Mansi, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhim Kumar Yadav

For the Opposite Party/s : Mr. Asha Devi(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 01.12.2015

Heard learned counsel for the petitioner as well as learned

Addl. Public Prosecutor for the State.

Petitioner is named in the first information report but admittedly, none has sustained any injury in the present case and having similar allegation co-accused Subhas Yadav had already been granted privilege of bail by a coordinate bench of this court vide order dated 26.11.2013 passed in Cr. Misc. no. 23254/2013.

No doubt, petitioner carries criminal antecedent of several cases but from perusal of the impugned order, I find that except informant who happens to be police official none of the prosecution witnesses named the petitioner in their respective statements. Informant has admitted in his written report that he came to know about the name of the petitioner and other co-accused through villagers.

Considering the above stated facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saharsa in Salkhua P.S. Case no. 113/2011 subject to the condition that petitioner shall attend the learned trial court in person on each and every date for the period of one year or till conclusion of his trial whichever is earlier and if he fails to do so on two consecutive dates without any reasonable explanation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

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(Hemant Kumar Srivastava,J)

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