

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17032 of 2016

Arising Out of PS.Case No. -336 Year- 2015 Thana -SAHARSA District- SAHARSA

Roushan Yadav @ Raushan Yadav son of Mahendra Yadav, Resident of
village- Patuha, P.S. Saharsa, District- Saharsa

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar-1

For the Opposite Party/s : Mr. P.K.Chaurasia(App)

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 25-04-2016 Heard learned counsel for the petitioner and counsel
for the State.

In this case, the petitioner is seeking bail in connection with Saharsa Sadar P.S. Case No. 336 of 2015 (G.R. No. 1138 of 2015 & S.T. No. 01 of 2016) for offence under Section 307 of the Indian Penal Code and Section 27 of the Arms Act.

As per First Information Report, on the day of occurrence, the Informant and his sister were gossiping with each other. In the meanwhile, two unknown persons entered in his house and dragged the sister and one of the person fired from his gun which hit the roof of the house.

Learned counsel for the petitioner submits that the



petitioner has not been put to Test Identification Parade though the Informant claims that he can identify them. In another case, the other accused persons have been granted bail by the court below. Learned counsel for the petitioner submits that though the petitioner has criminal antecedent but, after arrest in the Arms Act, he has been granted bail in all the cases.

Looking to the entire facts and circumstances of the case, let the petitioner, namely, Roushan Yadav @ Raushan Yadav be released on bail on 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, Saharsa in connection with Saharsa Sadar P.S. Case No. 336 of 2015 (G.R. No. 1138 of 2015, S.T. No. 01 of 2016), 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 and (iv) the petitioner will report to the Saharsa Sadar police station by 7th of

every month for at least six months and in case of failure without any valid rhyme or reason, the bail of the petitioner will be treated to have been cancelled.

(Shivaji Pandey, J)

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