

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18261 of 2016

Arising Out of PS.Case No. -254 Year- 2015 Thana -PHULIDUMAR District- BANKA

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Birendra Kumar Yadav, S/o Keshav Yadav, Reident of Village- Gururiadih,
Police Station- Fullidumar, District- Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Bharat Bhushan (App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 02-05-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in connection with Fullidumar (Amarpur) P.S. Case No. 254 of 2015 registered for offences under sections 147, 148, 149, 341, 323, 324, 307, 384, 386, 379, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act and Section 3/4 of the Explosive Substance Act and Section 17 of the C.L.A. Act.

In this case, the petitioner is seeking bail on the ground that his name has transpired on the statement of Ashok Tanti. Learned counsel for the petitioner submits that one Ashok Tanti who was arrested has taken the name of the petitioner. Thereafter the petitioner in several cases was remanded.

Looking to the facts and circumstances of the case, let the petitioner, namely, Birendra Kumar 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 6th Additional Sessions Judge, Banka in connection with S.T. No. 21 of 2016 (arising out of Fullidumar {Amarpur} P.S. Case No. 254 of 2015), 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 Fullidumar (Amarpur) 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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