

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58207 of 2015

Arising Out of PS.Case No. -18 Year- 2006 Thana -PIPRASI District-
WESTCHAMPARAN(BETTIAH)

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1. Rambhu Yadav, S/o Suryabali Yadav, resident of Village- Kailasnagar,
P.S. Bagaha, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary, Adv.

For the Opposite Party/s : Mr. Ram Chandra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 29-01-2016 Heard learned counsel for the parties.

The petitioner is in custody in connection with Piparasi P.S.
Case No. 18 of 2006 (S.Tr.No.443 of 2014) for the offences
punishable under Section 302 of the Indian Penal Code.

The F.I.R. charges one Rudal Yadav and his associates of
causing the death of the brother of the informant as well as one
Jagdish Yadav, brother of Om Prakash Yadav whose dead body
was found near the Gandak river.

Mr. Anand Kishore Chaudhary learned counsel for the
petitioner while admitting that the petitioner has series of cases
registered against him submits that all these cases are of the year
2006 except a case under the Arms Act registered after the
petitioner surrendered in response to the rehabilitation scheme of

the State Government, evidence whereof is placed at Annexure-3 dated 18.10.2013. It is stated that involvement of the petitioner is by virtue of his alleged association with the co-accused Rudal Yadav as well as his antecedent. He further submits that except for the suspicious circumstances, there is nothing on record to connect him with the crime.

Having heard learned counsel for the parties and considering the submissions made by Mr. Choudhary in the backdrop of the surrender recorded in the F.I.R. arising from Bagaha (Pathkauli) P.S. Case No. 488 of 2013(Annexure-3) as well as the nature of the allegations set out in the First Information Report (Annexure-1), let the petitioner namely, Rambhu Yadav be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional District Judge III Bagaha, West Champaran in connection with Piparasi P.S. Case No. 18 of 2006 (S.Tr. No. 443 of 2014) subject to the following conditions :

- (a) One of the close relative of the petitioner would stand as a bailor and would file an affidavit as regarding his /her relationship with the petitioner and who shall be under a duty to inform the court below any change in address of the petitioner. The said bailor shall also inform the court

below in case this petitioner after his release in the present case gets involved in any other criminal case, in which event the trial court shall be fully entitled to cancel the bail bonds of the petitioner and take him into custody.

(b) The petitioner would be personally present before the trial court on each and every date fixed in the case and his failure to do so on two consecutive dates fixed without reasonable explanation to the satisfaction of the trial court, would entitle the court concerned to cancel the bail bonds of the petitioner and to take him into custody.

(Jyoti Saran, J)

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