

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21717 of 2016

Arising Out of PS.Case No. -144 Year- 2015 Thana -RAFIGANJ District- AURANGABAD

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1. Vikesh Yadav @ Vikash Yadav Son of Kailash Yadav@Ram Kailash
Yadav Residents of Village- Lahaas , PS Rafiganj, District Aurangabad.
Bihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shakib Ayaz, Advocate

For the Opposite Party/s : Mr. M. Dayal (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 19-05-2016

Heard both sides.

The petitioner apprehends his arrest in connection
with Rafiganj P.S. case no. 144 of 2015, registered under Sections
147,148,149,323,337,338,341,504,506 and 295(A) of the IPC.

The informant was deputed as Magistrate in the
Village on the eve of Bakrid. It is alleged that religious feeling
was sought to be inflamed and persons from two different
communities created a scene of confrontation . However, it was
averted.

Contention of the petitioner is that the allegation is
general and omnibus. Several accused persons of this case vide
Annexure-2 series have been granted the privilege of anticipatory
bail. The petitioner has no criminal antecedents.

In the facts and circumstances of the case, this Court is inclined to extend the privilege of anticipatory bail to the petitioner. Let the petitioner, named above, in the event of his arrest/surrender before the learned Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM Aurangabad, in connection with Rafiganj P.S. case no. 144 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner.
- (ii) As soon as the charges are framed the petitioner shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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