

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27151 of 2016

Arising Out of PS.Case No. -130 Year- 2016 Thana -RAMPUR District- GAYA

Bindeshwari Prasad Yadav @ Bindi Yadav S/o Budhdeo Yadav, resident of Mohalla-51, A.P. Colony, P.S.-Rampur, District-Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Sri Dilip Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 01-09-2016 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under Sections 302, 307, 341, 323, 427, 34 of the Indian Penal Code and Section 27 of the Arms Act.

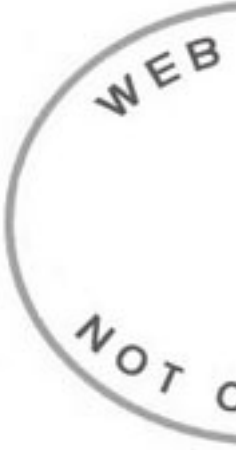
Petitioner is not named in the first information report and happens to be father of F.I.R. named accused Rocky @ Rakesh Ranjan Yadav. In course of investigation, it came to light that after the occurrence, when co-accused Rocky @ Rakesh Ranjan Yadav came to his house and narrated about the occurrence, the petitioner facilitated him to flee from

there and also got washed the vehicle which had been used in the alleged crime.

Submission on behalf of the petitioner is that even if the aforesaid materials assumed to be true, then also, at best, a case under Sections 212 and 201 of the Indian Penal code is made out against the petitioner and both the aforesaid sections are bailable.

Learned Additional Public Prosecutor opposed the prayer submitting that petitioner does have criminal antecedent of several cases but he fairly conceded that petitioner had not taken active part in the main occurrence rather after the main occurrence, he facilitated the main accused to flee from there and also tried to remove the evidence of the occurrence.

Considering the aforesaid facts and circumstances as well as this aspect of the matter that the investigation against the petitioner has already been completed, let the petitioner above named 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 A.C.J.M.-4th, Gaya in connection with Rampur P.S. Case No.130 of 2016, subject to



condition that if any attempt is made by or on behalf of the petitioner to tamper with the prosecution evidence or to terrorize the prosecution witnesses, the learned trial court/concerned court shall be at liberty to cancel the bail bonds of the petitioner after due and proper enquiry.

(Hemant Kumar Srivastava, J)

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