

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33544 of 2016

Arising Out of PS.Case No. -52 Year- 2004 Thana -NARPATGANJ District- ARRARIA

Ghotai Yadav, Son of Late Mahabir Yadav, Resident of Village Barhara,
P.S. Narpatganj, District Araria

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ambika Bhagat, Advocate

For the Opposite Party: Mr. Jitendra Kr. Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 29-08-2016 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 147, 148, 379, 307, 504 and 353 of the Indian Penal Code, Section 27 of the Arms Act and Section 33/41 of the Indian Forest Act registered in connection with Narpatganj P.S. Case No. 52 of 2004.

3. It is submitted that the petitioner has been falsely implicated and after due investigation of the case, final form has been submitted in respect of 12 accused persons including the petitioner while charge sheet has been submitted against the remaining accused. It is further submitted that the petitioner could not know about the pendency of the case in which cognizance has been taken and only after warrant of arrest was issued on 03.03.2016, he moved for his anticipatory bail. The

petitioner claims clean antecedents.

4. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Araria in connection with Narpatganj P.S. Case No. 52 of 2004, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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