

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22038 of 2016

Arising Out of PS.Case No. -268 Year- 1989 Thana -JHAJHA District- JAMUI

Jagdish Yadav, Son of Late Baldeo Yadav, resident of village - Kendwadih,
P.S. Jhajha, Distt. - Jamui

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prakash Mahto, Advocate.

For the Opposite Party/s : Mr. R.P.S.Singh (APP)

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 27-07-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner is accused in connection with Jhajha
P.S. Case No. 268 of 1989 registered under Sections 147, 148,
149, 436, 307, 353, 307, 380 and 153(A) of the Indian Penal Code
and Section 3, 4 and 5 of the Explosive Substance Act.

Learned counsel for the petitioner submits that it
would appear from the F.I.R. that initially the name of Ishwar
Yadav and Radhe Sah surfaced in the F.I.R. along with seven to
eight thousand unknown but later on, the name of the petitioner
has come mere on suspicion without any overt act. It is further
submitted that petitioner has no criminal antecedent and is in
custody since 28.09.2015. It is further submitted that co-accused,

Chhabu Choudhary, has already been granted privilege of bail by a Bench of this Court vide order dated 16.03.2010 passed in Criminal Misc. No. 9049 of 2010.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-II, Jamui, in connection with Sessions Trial No. 302 of 2009 (Jhajha P.S. Case No. 268 of 1989). Out of two sureties, one surety must be the close relative of the petitioner, who will file an affidavit showing his relation with the petitioner and further the petitioner shall remain present on each and every date during the course of the trial in the court below. If the petitioner fails to remain present on two consecutive dates during the course of the trial without any reasonable cause being shown, the court concerned would be at liberty to take steps for cancellation of his bail bonds.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

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