

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42622 of 2016

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Sanjay Yadav, Son of Chandradeo Yadav, Resident of Village- Araria,
P.S.- Parbatta, District- Khagaria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Manoj Kumar, Advocate

For the State : Mr. Gopesh Kumar, APP

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 04-10-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in a case registered under
Sections 147, 148, 149, 160, 353 and 307 of the Indian Penal Code
and sections 25(1-B)A/26/27/35 of the Arms Act.

It has been submitted that nothing has been recovered
from the conscious possession of the petitioner. However, there is
allegation of firing against the petitioner but he escaped from the
place of occurrence when the police party reached. It is further
submitted that the co-accused persons, who were apprehended,
have already been granted bail by different Coordinate Benches of
this Court vide orders dated 22.04.2016 and 20.08.2016 passed in
Criminal Miscellaneous Nos. 16226 of 2016 and 34356 of 2016,
respectively, as contained in Annexure 2 series. The petitioner

claims that his antecedent is clean.



Having regard to the facts and the circumstances of the case, the petitioner, Sanjay Yadav, is directed to be released on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Khagaria, in connection with Parbatta(Madia) Police Station Case No. 43 of 2016 with a further condition that one of the bailors of the petitioner must be his close relative or family member, who will file affidavit before the court below giving full genealogy showing his or her relationship with him. Further, if the petitioner, after his release in this case, is again found to be involved in a criminal case of similar nature, the court concerned would be at liberty to take steps for cancellation of his bail bonds. 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.

At the time of acceptance of the bail bonds, the court below would make verification regarding criminal antecedent of the petitioner and if he is found to be involved in any criminal case

prior to filing of affidavit in this application, i.e., 19.09.2016, then
he would not be released.

(Dr. Ravi Ranjan, J)

SC/-

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