

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52999 of 2015

Arising Out of PS.Case No. -28 Year- 2015 Thana -BISHUNPUR District- DARBHANGA

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1. Arun Yadav Son of Biroj Yadav, Resident of Village - Mustaphapur,
P.S. - Bishunpur, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar Singh

For the Opposite Party/s : Mr. Suresh Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 20-01-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

In the present case, the petitioner is seeking bail in connection with Bishanpur P.S. Case No.28 of 2015, registered for the offence under Sections 341, 147, 323, 302, 307, 379, 504 and 427 of the Indian Penal Code.

The petitioner has earlier moved before this Court in Criminal Miscellaneous No.22134 of 2015 and this Court vide order dated 15.06.2015 has rejected the bail of the petitioner.

From the perused of the record it appears that the dispute arose on account of the construction of the road as the offending party was claiming that one small movable shop was standing on the public road which was denied and resisted but the offending party was insisting for removal of the

same, which led to an altercation and one person has died.

From the record it appears that the petitioner is in jail since 08.04.2015. Looking to the period of custody, let the petitioner-Arun Yadav 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 Chief Judicial Magistrate, Darbhanga, in connection with Bishanpur P.S. Case No.28 of 2015, subject to the conditions that:-

(i) one of the bailors will be a close relative of the petitioner;

(ii) If the petitioner is found involved in similar type of case in future, the prosecution will be at liberty to file application for cancellation of bail and the Court below will pass necessary order, including cancellation of bail and

(iii) the petitioner would co-operate in the proceeding and in the event of being absent on two consecutive dates without reasonable explanation, the Court below will be at liberty to pass appropriate order, including cancellation of bail bonds of the petitioner.

(Shivaji Pandey, J)

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