

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17224 of 2017

Arising Out of PS.Case No. -49 Year- 2016 Thana -DHOLBAJJA District- BHAGALPUR

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1. Ajit Yadav Son of Late Naresh Yadav Resident of Village - Rasalpur,
P.S. Naugachia, District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar

For the Opposite Party/s : Mr. Sri Ahtash Ali Khan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-04-2017 Heard the parties.

This application has been filed in connection with Dhol Bajja P.S.Cae No.49 of 2016, G.r.No.1176 of 2016 for the offence under Sections 302, 120B and 34 of the Indian Penal Code and 27 of the Arms Act.

From perusal of the F.I.R., it appears that the petitioner is not named in the F.I.R. rather, the F.I.R. has been lodged against some other co-accused persons.

It is submitted on behalf of the petitioner that the name of the petitioner transpired on the basis of confessional statement of the co-accused and except that there is nothing against the petitioner and he is in custody for about 4 ½ months.

Heard learned A.P.P. also, who could not controvert the



above facts.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Sri D.K. Yadav, J.M. 1st class, Naugachia, Bhagalpur in connection with Dhol baja P.S.Case No.49 of 2016 dated 29.10.2016, G.R.No.1176 of 2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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