

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17973 of 2017

Arising Out of PS.Case No. -85 Year- 2014 Thana -RAJPUR District-
EASTCHAMPARAN(MOTIHARI)

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Chandan Kumar Yadav @ Chandan Yadav, Son of Sitaram Yadav,
Resident of Village- Fajilpur, P.S. Rajepur, District- East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Vijay Shankar Shrivastava, Adv.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 12-04-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 22.07.2016 in connection with Rajepur P.S. Case No. 85 of 2014 for the offences alleged under Sections 387/34 of the Indian Penal Code and 27 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated and he is not named in the F.I.R. Except the extra judicial confessional statement of co-accused Umesh Kumar Rai, there is no material to connect the petitioner with the alleged occurrence. The said Umesh Kumar Rai has been granted bail by this Court in Cr. Misc. No. 7115 of 2015. Petitioner has been made accused in a few other cases in all of which however he is not named in the F.I.R.

4. Be that as it may, having regard to the entirety of



the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sikrahana at Dhaka, Motihari, East Champaran, in connection with Rajepur P.S. Case No. 85 of 2014, on the following 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 till conclusion of the trial.

(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.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

Md. Ibrarul/psc

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