

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17980 of 2017

Arising Out of PS.Case No. -378 Year- 2011 Thana -BANKA District- BANKA

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Pradeep Yadav, Son of Thanu Yadav, Resident of Village- Bhadariya,
P.S. + District- Banka.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Jha, Advocate.

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 24.01.2017 in connection with Banka P.S. Case No. 378 of 2011 for the offences alleged under Sections 341, 323, 452, 302/34 of the Indian Penal Code, Sections 3, 4, 5 of the Explosive Substance Act and Section 27 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated as there is case and counter case between the parties. There is a longstanding land dispute between the parties. The specific accusation against the petitioner of having hurled a bomb on Rukma Kumari, daughter of the informant and caused her death is belied from the post mortem report, which attributes the cause of death to cardiac respiratory failure (natural death). The petitioner claims clean antecedents.

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 Chief Judicial Magistrate, Banka, in



connection with Banka P.S. Case No. 378 of 2011, 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)

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