

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 52701 of 2017

Arising Out of PS.Case No. -145 Year- 2017 Thana -BIKRAM District- PATNA

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Meter Yadav Son of Late Baban Yadav, R/o Village- Nizampur Tola, P.S.-
Bikram, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Vijay Anand, Advocate

For the S t a t e : Mr Rajendra Singh Shastriji, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 09-11-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner is accused in a case registered for the
offence punishable under Sections 302, 120B, 307, 325, 341,
323/34 of Indian Penal Code.

The first information report alleges that the son of the
informant was assaulted with iron rod by one Lorik Yadav.
Specific allegation is against one another co-accused being armed
with the pistol. Counsel for the petitioner submits that the
petitioner is a man of clean antecedent and has been falsely
implicated in this case merely because he is the agnate of the
informant. It is further submitted that other than his name and
general and omnibus allegation, there is nothing incriminating



against the petitioner either in the FIR or in the statements recorded by the police. It is also submitted that the charge sheet has been submitted and there is no chance of tampering with the evidence.

Considering the aforesaid submissions, petitioner's prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Danapur in Bikram Police Station Case No 145 of 2017 subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the affidavit shall clearly state that the petitioner is not an accused in any other case and if he is, he shall not be released on bail.

(iii) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter, the Court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(iv) That the petitioner will give an undertaking that he will receive the police



papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.

(v) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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