

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51639 of 2017

Arising Out of PS.Case No. -282 Year- 2017 Thana -DIGHA District- PATNA

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Jai Prakash Yadav @ Jai Prakash, S/o Biajnah Yadav @ Fekan Ray, R/o
Mohalla- Gandhi Gali, Digha, P.S.- Digha, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Raj Kishore Prasad,
Mr. Kamlesh Prasad Yadav, Advocates

For the Opposite Party: Mr. Anil Kr. Sinha,
Mr. Akash Keshav, Advocates

For the State : Smt. Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 13-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 06.09.2017 in connection with Digha P.S. Case No. 282 of 2017 for the offences alleged under Sections 144, 145, 146, 147, 148, 149, 114, 115, 342, 323, 307, 353, 395, 397, 186, 332, 333, 336, 337, 338, 427, 504 of the Indian Penal Code and Section 27 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated and the accusations are general and omnibus in nature as many as 132 named persons and 1000-1200 unknown persons who are said to have indulged in brick-batting and stone pelting on the police party at the time of removal of encroachment. Similarly situated accused persons, Manikant Choudhary @ Manikant Chaudhir; and Pintu Kumar and Chintu Kumar have been granted bail by this Court in Cr. Misc. No. 49627 of 2017 and Cr. Misc. No. 52577 of 2017, respectively.

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, Patna in connection with Digha P.S. Case No. 282 of 2017, 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)

B.T/Chandran

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