

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16605 of 2017

Arising Out of PS.Case No. -145 Year- 2016 Thana -SHEKHPURA District- SEKHPURA

=====

Karu Yadav son of Late Bhagwan Yadav, resident of Village- Budhouli,
P.S. Sheikhpura, District- Sheikhpura.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Suresh Prasad Bhakta, Advocate.

For the Opposite Party : APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 06-04-2017 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner is in custody since 20.03.2017 in connection with Sheikhpura P.S. Case No. 145 of 2016 for the offences alleged under Sections 147, 148, 149, 448, 341, 323, 324, 325, 354, 379 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 accusation of assault by *gada* on the head of Sri Yadav attributed to the petitioner is belied by the injury report itself which shows only lacerated wounds caused by hard blunt substance. The petitioner relies on the order dated 02.03.2017 passed in Cr. Misc. No. 48882 of 2016 where anticipatory bail petition of the petitioner was disposed of with observation to the court below to consider his prayer for regular bail upon his surrendering and pass orders preferably on the same day keeping in mind that similarly situated co-accused had been granted anticipatory bail. The petitioner claims clean antecedents.

4. Learned APP assisted by learned counsel for the informant appearing *suo motu* opposes the bail petition.



5. 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, Sheikhpura, in connection with Sheikhpura P.S. Case No. 145 of 2016, 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/BT

U		T	
---	--	---	--

