

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13145 of 2017

Arising Out of PS.Case No. -279 Year- 2014 Thana -ROSERA District- SAMASTIPUR

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Krishna Kumar Yadav @ Barku Yadav, son of Ram Swarath Yadav,
resident of Village- Larjhaghat, Police Station- Bithan, District-
Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Abhimanyu Sharma, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 18-03-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 23.11.2016 in connection with Rosera P.S. Case No. 279 of 2014 for the offences alleged under Section 392 of the Indian Penal Code and Section 27 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated merely on suspicion and the F.I.R. is against unknown persons. Except the extra judicial confessional statement of co-accused Nand Kishore Sahu who has named a few other persons including the petitioner, there is no other material to connect the petitioner with the alleged occurrence. The said Nand Kishore Sahu has been granted bail by this Court in Cr. Misc. No. 25671 of 2015 and so also some of the other persons named by him in his confessional statement have also been granted bail by this Court. No recovery of any incriminating articles has been made from the possession of the petitioner. The petitioner is on bail in all the cases, except one, in which he has been made accused.

4. 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, Samastipur, in connection with Rosera P.S. Case No. 279 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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