

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39241 of 2017

Arising Out of PS.Case No. -249 Year- 2015 Thana -DEHRI TOWN District-
SASARAM (ROHTAS)

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Mantu Yadav

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dhaneshwar Prasad Gupta

For the Opposite Party : Mr. Md. Anzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 19-08-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered for the offence under sections 147, 148, 149, 341, 342, 302, 452, 380/120B of the IPC.

Learned counsel for the petitioner submits that during the trial four witnesses have been examined out of seven. Informant, wife of the deceased, has not supported the prosecution case and declared hostile. He further submits that considering the aforesaid development, one of the co-accused Jhabar Yadav @ Sanjeet Kuamr Singh @ Sanjeet Kuamr Yadav has already been allowed bail vide order dated 22.2.2017, passed in Cr Misc. No.4706 of 2017. Petitioner has no antecedent and he is in custody since 4.2.2017.

Considering the aforesaid submissions, prayer for bail of



the petitioner is allowed. Let the petitioner, mentioned above, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge IV, Rohtas at Sasaram in Dehri (T) Police station Case No. 249 of 2015, Sessions Trial No. 183 of 2017 on the following conditions:-

(a) 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 him. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(b) 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.

(c) 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.

(d) 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.

(e) 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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