

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1144 of 2017

Arising Out of PS. Case No. -13 Year- 2016 Thana -BHADAURA District- PATNA

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Gautam Yadav, S/o Late Ganesh Yadav @ Late Ganeshi Yadav, R/o
Village- Tartar, Nizama + Tola, P.S.- Ghoswari, District - Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajesh Kumar Sinha, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 08-02-2017 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner has renewed his prayer for bail in connection with Bhadaur P.S. Case No. 13 of 2016 having earlier been rejected by order dated 20.05.2016 in Criminal Miscellaneous No. 22093 of 2016.

3. It is submitted that the petitioner has been falsely implicated in respect of the alleged recovery of one country made pistol and nine live cartridges. The petitioner claims clean antecedents.

4. Pursuant to the order of this Court dated 18.01.2017, status report dated 28.01.2017 has been received from the court of learned Additional Judicial Magistrate II, Barh, according to which charges were framed in this case on 28.11.2016 and one of the witnesses has since been examined.

5. Having regard to the entirety of the facts and circumstances of the case as well as period of custody of the petitioner above named, let him 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 Judicial Magistrate, Barh,



Patna in connection with Bhadaur P.S. Case No. 13 of 2016 with 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)

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