

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60017 of 2017

Arising Out of PS.Case No. -178 Year- 2016 Thana -ATRI District- GAYA

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Fantus Yadav @ Uday Kumar, son of Late Sitaram Yadav, resident of
Village- Goh Chak, P.S.- Atari, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 12-12-2017 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner is in custody since 29.09.2017 in connection with Atari P.S. Case No. 178 of 2016 for the alleged offences under Section 395 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion and except the extra judicial confessional statement of co-accused Shahid Khan there is no other material to connect the petitioner with the alleged occurrence. The FIR is against unknown persons and no T.I. parade has been conducted to identify the petitioner. No recovery of any incriminating articles has been made from the possession of the petitioner. The aforesaid co-accused Shahid Khan has been granted bail by this Court in Cr. Misc. No. 12940 of 2017. Other co-accused persons named and identified by the said Shahid Khan namely, Dinesh Yadav and Khalid Naem have also been granted bail by this Court in Cr. Misc. No. 13513 of 2017 and Cr. Misc. No. 52166 of 2016, respectively. The petitioner claims clean antecedents as he



has not been made accused in any other case.

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 A.C.J.M. Ist, Gaya in connection with Atari P.S. Case No. 178 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 co-operate 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.

(iv) 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.

(Vikash Jain, J)

Chandran/BT

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