

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59043 of 2017

Arising Out of PS.Case No. -258 Year- 2016 Thana -WARSALIGANJ District- NAWADA

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Bindu Yadav S/o Rambrish Yadav, R/o Village- Masankhama, P.S.- Warsaliganj, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Warisaliganj
P.S. Case No.258 of 2016 for offences punishable under Sections
147, 148, 341, 323, 307, 427, 379 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while he was working as a helper of the machine used for
lifting sand of the proprietor Gopal Prasad who was allotted a
tender for lifting sand, 8-10 unknown persons damaged the
machines, resorted to firing snatched mobiles of workers and also
injured the informant by which he got his hand fractured.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the F.I.R. and his name



surfaced on the confessional statement of co-accused Anshu Kumar after six months of the alleged occurrence before the police which has no evidentiary value in the eye of law. He submits that one of the co-accused has been granted pre-arrest bail by a Bench of this Court in Cr. Misc. No. 34660 of 2017 on 29.08.2017 and that the petitioner is languishing in judicial custody since 12.07.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Warisaliganj P.S. Case No. 258 of 2016, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (2) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will



entail cancellation of his bail bonds.

(3) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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