

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11850 of 2017

Arising Out of PS.Case No. -257 Year- 2012 Thana -JOGAPATTI District-
WESTCHAMPARAN(BETTIAH)

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1. BIJALI YADAV @ BIJILI YADAV Son of Late Dhanesh Yadav,
Resident of Village- Chaumukha, Police Station- Jogapatti, District- East
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Randhir Kumar No-1

For the Opposite Party/s : Mr. Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-03-2017 The petitioner is apprehending his arrest in connection

with Jogapatti P.S. Case No. 257 of 2012, registered for offences

punishable under Sections 302, 120B, 504 and 34 of Indian Penal

Code and Section 27 of the Arms Act.

It has been submitted on behalf of the petitioner that save

and except the allegation that petitioner is order giver/instigator,

there is no allegation so as to suggest his involvement in the

present case. Moreover, the police after investigation has

submitted final form finding the case not true against the

petitioner, however, learned Magistrate, differing with the final

form took cognizance against the petitioner.

Heard learned A.P.P.



Having heard both sides, in view of the fact that only allegation against the petitioner is that he is a order giver/instigator and except that there is no allegation against the petitioner and also the police after investigation submitted final form not finding the case true against the petitioner, as such, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, West Champaran, Bettiah in connection with Jogapatti P.S. Case No. 257 of 2012, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner shall cooperate in the investigation and make himself available as and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without



showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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