

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2794 of 2017

Arising Out of PS.Case No. -52 Year- 2014 Thana -RAJPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Chandan Kumar Yadav @ Chandan Yadav Son of Sita Ram Yadav
Resident of Village-Fazil Pur, P.S.-Rajepur, District East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Smt Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-02-2017 Heard the parties.

This application has been filed in connection with Rajepur P.S.Case No.52 of 2014 for the offence under Section 392 of the Indian Penal Code and Section 27 of the Arms Act.

It is submitted on behalf of the petitioner that except the confessional statement of the co-accused, there is nothing against this petitioner and he has been remanded in this case on 13.06.2016. It is further submitted that though in six cases, the petitioner is accused and the other co-accused person, on whose confessional statement the petitioner has been arrested, have already been granted bail by this Court, vide order dated 18.12.2015 passed in Cr. Misc. No.51038 and dated 28.8.2015 passed in Cr. Misc. No.35018 of 2015.

Heard learned A.P.P. also, who could not controvert the aforesaid fact.



Having heard both sides. In view of the fact that the petitioner is in custody for about six months and considering the fact that there is nothing against this petitioner except that his name transpired only on the basis of confessional statement of the co-accused, as such let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M., Sikrahana at Motihari East Champaran in connection with Rajepur Police Station Case No.52 of 2014.

With following conditions :

- (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) Any attempt to repeat such type of allegation will permit the prosecution to move for cancellation of his bail bond.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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