

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.27533 of 2017**

Arising Out of PS.Case No. -246 Year- 2014 Thana -JHAJHA District- JAMUI

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Arvind Yadav Son of Late Damodar Yadav, Resident of Village- Jogiatilha,  
P.S. Jhajha, District- Jamui.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

3      09-08-2017                      Heard learned counsel for the petitioner and the  
  
learned A.P.P. for the State.

Petitioner seeks bail in connection with Jhajha P.S.  
  
Case No. 246 of 2014 registered for the offence punishable under  
  
Sections 147, 148, 149, 341, 342, 448, 380, 384, 364 and 379 of  
  
the Indian Penal Code.

The prosecution case, as lodged by the informant, is  
  
that he was taken away by the petitioner and other accused persons  
  
from the house and was severely beaten by all the accused persons  
  
and accused Kali Yadav demanded Rs. two lacs from the  
  
informant.

It has been submitted by the learned counsel for the  
  
petitioner that he is in custody since 18.06.2016 in connection



with another case and has been remanded in the present case on 07.01.2017. He further submits that there is no allegation of any overt act against him and just because he has a criminal antecedent and there was property dispute between the parties, that the petitioner has been made accused. He submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner. He submits that some of the co-accused have been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 46042 of 2016 on 02.12.2016.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and some cases are of very serious nature.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Jamui in connection with Jhajha P.S. Case No. 246 of 2014, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable properties within the jurisdiction of the concerned P.S./ Court, who would file an



affidavit stating his relationship with the petitioner and that petitioner will appear before the learned Court below on each and every date and failure to appear before the learned Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

It is further made clear that if, in future, petitioner indulges in similar nature of offence, the prosecution will be at liberty to move before the learned Court below for cancellation of his bail bonds.

**(Nilu Agrawal, J.)**

Arjun/-

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