

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36514 of 2017

Arising Out of PS.Case No. -51 Year- 2017 Thana -CHANAN District- LAKHISARAI

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Parmeshwar Yadav @ Bhothan Yadav Son of Late Tulsi Yadav, resident
of Village- Singh Chak, P.S.- Chanan , District- Lakhisarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arjun Pd. Keshri, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 21-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 23.06.2017 in
connection with Chanan P.S. Case No. 51 of 2017 for the offences
alleged under Sections 302/34 of the Indian Penal Code and Section
27 of the Arms Act.

3. It is submitted that the petitioner has been falsely
implicated and even according to the first information report, he
was admittedly not carrying any arms and he is only said to be an
order giver. It is submitted that the petitioner at the time of
occurrence was on duty as Railway Gateman as evident from the
duty report issued by the Station Manager, Mananpur which casts
doubt on the veracity of the accusation.

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 Additional Chief Judicial Magistrate 1st, Lakhisarai in
connection with Chanan P.S. Case No. 51 of 2017 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 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.

(iv) The petitioner shall cooperate 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.

(Vikash Jain, J)

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