

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.45319 of 2016**

Arising Out of PS.Case No. -53 Year- 2016 Thana -KHAGARIA District- KHAGARIA

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Lalo Yadav S/o Late Rooplal Yadav, Resident of Village- Ram Tola  
Kothia, P.S.- Muffasil, District- Khagaria.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Rajesh Kumar, Advocate

For the Opposite Party : APP

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

3      08-02-2017                      Heard learned counsel for the petitioner and learned APP for  
the State.

2. The petitioner has renewed his prayer for bail in connection with Khagaria (Mufassil) P.S. Case No. 53 of 2016; G.R. No. 186 of 2016 having earlier been rejected by order dated 19.05.2016 in Criminal Miscellaneous No. 21965 of 2016.

3. It is submitted that the petitioner has been falsely implicated in respect of the alleged recovery of one country made rifle one barrel along with .303 bore misfired cartridge from the asbestos room. The petitioner claims clean antecedents.

4. Pursuant to the order of this Court dated 18.01.2017, status report dated 23.01.2017 has been received from the court of learned Sub-Divisional Judicial Magistrate, Khagaria to the effect that only one witness has been examined so far. It transpires from the order of the learned Ist Additional Sessions Judge, Khagaria dated 26.08.2016 that charges were framed in this case on 20.05.2016 and the petitioner has been in custody since 27.01.2016.

5. Having regard to the entirety of the facts and circumstances of the case as well as period of custody of the petitioner above named, let him 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 Sub-Divisional Judicial Magistrate, Khagaria in connection with Khagaria (Mufassil) P.S. Case No. 53 of 2016; G.R. No. 186 of 2016 with 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.

B.T/Ibrar

**(Vikash Jain, J)**

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