

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59930 of 2017

Arising Out of PS.Case No. -297 Year- 2017 Thana -FATEHPUR District- GAYA

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Damodar Yadav @ Kailash Yadav, Son of Late Mangar Yadav, Resident
of Village- Sandeshwar, P.S.- Fatehpur, District- Gaya.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Prithivi Raj Singh, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 12-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 22.08.2017 in connection with Fatehpur P.S. Case No. 297 of 2017 for the offences alleged under Sections 147, 149, 341, 323, 504, 379, 325 and 307 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated on the allegation that he along with co-accused Mukesh Yadav assaulted and injured the informant's son Manoj Yadav. On perusal of the order of the I/C Sessions Judge, Gaya dated 17.11.2017, it is evident that according to the case diary, injury has been sustained only by the informant and there is nothing to show that any injury was caused to the informant's son Manoj Yadav. The assault upon the informant has not been attributed to the petitioner in the F.I.R. The petitioner claims clean antecedents.

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 10th, Gaya, in connection with Fatehpur P.S. Case No. 297 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)

Md. Ibrarul/Chandran

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