

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37936 of 2017

Arising Out of PS.Case No. -471 Year- 2015 Thana -WAJIRGANJ District- GAYA

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Randhir Yadav, Son of Late Sukhdeo Yadav, resident of village-
Kenardih, P.S. Wazirganj in the District of Gaya.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Braj Nandan Kumar Tiwary, Advocate.

For the Opposite Party : Mr. J.K. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 09-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 11.07.2017 in connection with Wazirganj P.S. Case No. 471 of 2015, G.R. No. 6022 of 2015 for the offences alleged under Sections 302, 307/34 of the Indian Penal Code, 27 of the Arms Act and 17 of Cr. L.A. Act.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion and there are no eye witnesses to the alleged occurrence. Lakhan Choudhary who is said to have been injured in the occurrence has been declared hostile while recording his deposition. Petitioner has not been named in the F.I.R. and except Wazirganj P.S. Case No. 282 of 2017 lodged under Section 30 of Excise Act there is no other case in which the petitioner has been made accused. It is further stated that investigation in the case has already been completed and there is no objective material to connect the petitioner with the alleged occurrence. Similarly situated co-accused Kaila Yadav @ Vikram Yadav has been granted bail by this Court in Criminal Miscellaneous Case No. 4273 of 2017.



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, Gaya, in connection with Wazirganj P.S. Case No. 471 of 2015 (G.R. No. 6022 of 2015) 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.

(Vikash Jain, J)

Md. Ibrarul/Chandran

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