

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45339 of 2017

Arising Out of PS.Case No. -59 Year- 2017 Thana -ROSERA District- SAMASTIPUR

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Nitish Yadav @ Rakesh Yadav @ Rakesh Kumar Yadav @ Nitish Kumar
Yadav, Son of Bachkun Yadav @ Buchkun Yadav, resident of Village-
Thahar Basadhiya, Police Station- Rosera, District- Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Kundan Kumar, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 18-10-2017 A supplementary affidavit has been filed on behalf of
the petitioner. Let it be kept on record.

2. Heard learned counsel for the petitioner and
learned APP for the State.

3. The petitioner is in custody since 29.03.2017 in
connection with G.R. No. 257/2017 arising out of Rosera P.S. Case
No. 59 of 2017 for the offences alleged under Section 379 of the
Indian Penal Code and subsequently, Section 411 of the IPC has
been added.

4. It is submitted that the petitioner has been falsely
implicated as he is none other than the driver of the informant and
there was an altercation between the parties with regard to
payment of wages. It is submitted that nothing has been recovered
from conscious possession of the petitioner or from his house
rather the vehicle was left in the field by the informant himself.

5. 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, Rosera, District Samastipur in connection with G.R. No. 257/2017 arising out of Rosera P.S. Case No. 59 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)

B.T/Chandran

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