

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56069 of 2017

Arising Out of PS.Case No. -11 Year- 2015 Thana -DHIBRA District- AURANGABAD

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Ram Pravesh Yadav, Son of Late Rajeshwar Yadav, Resident of Village-
Raja Bigha, P.S.- Salaiya, District- Aurangabad, Bihar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Sri Sanjay Kumar Pandey

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 27-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 09.05.2017 in
connection with Dhibra P.S. Case No. 11 of 2015 for offences
punishable under Sections 147, 148, 149, 120B, 124(A), 353 and
307 of Indian Penal Code, Sections 25 (1-B) a/26/35/27 of the
Arms Act and Section 17 of the C.L.A. Act.

The prosecution case, as lodged by the police
personnel, is that while the police were camping, 50-60 persons
resorting to firing and the police also counter fired. After the said



incident, large number of empty cartridges were found lying at the place of occurrence. As many as 18 persons including the petitioner have been named in the F.I.R.

It has been submitted by the learned counsel for the petitioner that he is innocent and although named in the F.I.R. and in confessional statement of co-accused and he is accused in five cases earlier in old matters of 2006, 2007 and 2008 but allegations are general and omnibus against all the co-accused. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Fast Track Judge-VIIth, Aurangabad in connection with Dhibra P.S. Case No. 11 of 2015, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner having



sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(2) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(3) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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