

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58908 of 2017

Arising Out of PS.Case No. -95 Year- 2017 Thana -MAKHDUMPUR District- JEHANABAD

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Karu Yadav, Son of Suryadeo Yadav, Resident of Village- Saren, Police Station- Makhdumpur (Tehta O.P.), District- Jehanabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar, Advocate

For the Opposite Party/s : Mr. Amit Kumar Rakesh, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 15-12-2017

Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the State.

The petitioner is in custody since 22.08.2017 in connection with Makhdumpur (Tehta O.P.) P.S. Case No.95 of 2017 registered for the offence under Sections 147, 148, 149, 341, 323, 324, 307, 380, 384 and 504 of the Indian Penal Code.

Learned counsel for the petitioner submits that for the same occurrence, two F.I.Rs. were filed. In the earlier F.I.R., which is Makhdumpur P.S. Case No.92 of 2017, the petitioner has not been made accused, but subsequently as an afterthought, in the present case, his name has been included and he is facing prosecution. Learned counsel for the



petitioner submits that the present litigation is engineered to harass the petitioner.

Considering the aforementioned submissions and Annexure 5 to the supplementary affidavit filed today does not reveal the name of the petitioner, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Jehanabad, in connection with Makhdumpur (Tehta O.P.) P.S. Case No.95 of 2017, subject to the following conditions:

(1) One of the bailors will be his own relative, namely, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate 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.

(Anjana Mishra, J)

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