

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49995 of 2017

Arising Out of PS.Case No. -59 Year- 2017 Thana -SHEIKHOPUR SARAI District- SEKHPURA

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Balmukund Yadav @ Ravikant, S/o Banarsi Prasad Yadav, R/o Kare, P.S.
& District-Sheikhpura, Bihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Avanish Kumar Singh, Advocate
For the State : Mr. Indra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-10-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks regular bail in connection with
Sheikhopur Sarai P.S. Case No. 59 of 2017 for the offences under
Sections 224, 225, 341, 323, 353, 307 and 34 of the Indian Penal
Code.

The allegation against the petitioner is that when the Police
Party got information that the petitioner herein, an accused in
Sheikhpura P.S. Case No. 16 of 2017, is going to pass through a
particular area, the Police Party laid a trap and finally when the
petitioner herein came near the Police Party, he was apprehend.
Thereafter, two accomplices of the petitioner herein came by
motorcycle and tried to dash the motorcycle over the Policemen
standing there with a view to enable the petitioner to escape.



However, the petitioner could not escape and he was arrested from the spot.

The learned counsel for the petitioner submits that as far as the present case is concerned, no case is made out for the offences alleged in the FIR especially on account of the fact that he has been merely arrested by the Police and no allegation of any overt act has been levelled against the petitioner neither any incriminating articles whatsoever has been recovered from his possession. It is further submitted that though it is true that there are several cases pending against the petitioner and in some cases the petitioner has been granted bail, the present petition has to be decided on the merits of the present case without being influenced by the other cases. It is further submitted that the petitioner is ready to abide by whatever condition(s) this Court imposes.

Having regard to the facts and circumstances of the case, I deem it fit and appropriate to enlarge the petitioner Balmukund Yadav @ Ravikant on regular bail, as far as the present case is concerned, subject to he being not wanted in any other case, upon furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Sheikhpura in connection with Sheikhpura Sarai P.S. Case No. 59 of 2017.



Petitioner is further directed that once he is out of custody, he would mark his attendance before the Officer In-Charge of the concerned Police Station on every Monday at 10:00 A.M. and he would also appear before the learned trial court on each and every date fixed in the case without any default and in case of two consecutive default, the privilege of bail granted by the present order would stand withdrawn automatically and the petitioner would be taken into custody forthwith.

(Mohit Kumar Shah, J)

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