

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8325 of 2018

Arising Out of PS.Case No. -177 Year- 2009 Thana -MADANPURA District- AURANGABAD

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1. Vidhayak Jee @ Dwarika Yadav @ Bachhan Jee S/o Jaglal Yadav, R/o village- Kosdihra, P.S.- Saliya, District- Aurangabad (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Leelawati Kumari

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 05-03-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has been in custody on his remand since 08.12.2016 in connection with Madanpur P.S. Case No. 177/2009 registered for the offences punishable under Sections 147/148/149/341/427 of the Indian Penal Code, ¾ of the Explosive Substance Act and Section 17 of the C.L.A. Act.

Learned counsel for the petitioner submits that only because he is suspected to be a member of the M.C.C. and miscreants who had fled away near the Airtel tower were shouting slogan like ‘M.C.C. Zindabad’, the petitioner has been implicated in the present case. It is further submitted that as a matter of fact no occurrence has ever taken place and no incriminating articles were recovered from the house of the petitioner. Learned counsel



for the petitioner has drawn the attention of this Court to an order dated 19.02.2018 passed in Cr. Misc. No. 3568 of 2018 wherein the similarly situated co-accused Surendera Yadav @ Bhurkund Ji has been granted regular bail by this Court.

Having considered the entire facts and circumstances of the case and the materials available on record, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Ad hoc Additional District and Sessions Judge-VII, Aurangabad, in connection with Madanpur P.S. Case No. 177/2009, Subject to the following conditions:-

- (1) One of the bailors will be his own blood relative, preferably, 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 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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