

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25221 of 2018

Arising Out of PS.Case No. -74 Year- 2017 Thana -PARAIYA District- GAYA

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Sanjay Yadav, Son of Magaru Yadav, Resident of Village- Kamal Bigha,
P.S.- Konch, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Lilawati Singh, Adv

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 08-05-2018 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 03.01.2018 in connection with Paraiya P.S. Case No. 74 of 2017 for the alleged offences under Sections 387 of the Indian Penal Code and Section 17 of the C.L.A. Act.

3. It is submitted that the petitioner has been falsely implicated and except being named in the FIR there is no specific overt act attributed to the petitioner. The petitioner has not been arrested at the spot nor has any recovery been made from his possession. It is further submitted that charge sheet has been submitted and there is no chance of tampering with the evidence of the witnesses. Similarly situated co-accused Ramdayal Malshikar @ Ramdayal Ram has been granted bail by this Court in Cr. Misc. No. 51865 of 2017. The petitioner claims clean antecedents.

4. 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 Smt. Shafali Narayan, learned Judicial Magistrate Ist Class, Gaya in connection with Paraiya P.S. Case No. 74 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) 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.

(Vikash Jain, J)

Chandran/BT

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