

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42439 of 2018

Arising Out of PS.Case No. -40 Year- 2018 Thana -DANIYAWA District- PATNA

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1. Rakesh Yadav S/o Ramjee Yadav, R/o Vill.- Neemi, P.S. - Daniyawan,
District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak

For the Informant : Mr. Ashok Kumar Singh

For the Opposite Party/s : Ms. Sucheta Yadav

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 17-07-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has been in custody since 19.05.2018
in connection with Daniyawan P.S. Case No. 40 of 2018 registered
for the offences punishable under Sections 147, 148, 149, 324, 307
of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that
though the petitioner is named in the First Information Report, no
overt act has been attributed to him. It is further submitted that the
allegation of firing is against the other and the injury merely
indicates abrasion on upper middle of abdominal wall and pain
over all body and the said injury is said to have been caused by
hard and blunt substance.

Considering the facts and circumstances, 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 Judicial Magistrate 1st Class Patna City, Patna, in connection with Daniyawan P.S. Case No. 40 of 2018, subject to the following conditions:-

- (1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or their 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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