

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45845 of 2018

=====

Arvind Yadav @ Arbind Yadav S/o Late Jago Yadav @ Jagdish Yadav, R/o
Vill.- Choudhridih, P.S.- Lodipur, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Yadav

For the Opposite Party/s : Mr. Sri Uma Shankar Prasad Singh

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 10-08-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody since 10.04.2018 in
connection with Kotwali (Barari) P.S. Case No. 231 of 2018 for
the offence registered under Sections 302/34 of the Indian Penal
Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that though
the petitioner's name in the first information report, the allegation
is that several persons, which included the petitioner, fired at the
deceased from close range behind the ears. It is further submitted
that there are altogether 10 accused persons in the first information
report and the petitioner is also one of them. It is further submitted
that similarly situated co-accused person, namely, Fantush Yadav
@ Fanta Yadav has been extended the privilege of bail in Cr.



Misc. NO 42605 vide order dated 06.08.2018 and the allegation against the petitioner is same and similar and, therefore, he too may be extended the privilege of bail.

Considering that the prosecution story bear a distinct cloud and there is no further material so as to implicate the petitioner in connection with the present case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bhagalpur in connection with Kotwali (Barari) P.S. Case No. 231 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 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)

Jagdish/-

U		T	
---	--	---	--

