

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2062 of 2018

Arising Out of PS. Case No. -75 Year- 2012 Thana -PASRAHA District- KHAGARIA

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Jaylash Yadav, son of Late Siya Ram Yadav, resident of Village
Bandehera, P.S.- Pasraha, District- Khagaria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Syed Masleh-Uddin Ashraf, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 12-01-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 11.11.2017 in connection with Pasraha P.S. Case No. 75 of 2012 for the offences alleged under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated and in any event, even on the averments of the informant made in the first information report, the petitioner is merely an order giver and the thrust of accusation of firing is upon co-accused, namely, Nirmal Yadav and Bambam Yadav. It is therefore submitted that the petitioner is not the assailant in this case and 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 learned Chief Judicial Magistrate, Khagaria in connection with Pasraha P.S. Case No. 75 of 2012, 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) That 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.

(iv) The petitioner shall cooperate 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.

(Vikash Jain, J)

B.T/Chandran

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