

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21408 of 2018

Arising Out of PS.Case No. -383 Year- 2017 Thana -LAKHISARAI District- LAKHISARAI

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1. Amit Kumar Son of Sri Radheshyam Yadav, Resident of Village-
Hakimganj, Khagaur, Police Station + District-Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabi Bhushan Prasad No. 1

For the Opposite Party/s : Mr. Sri Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-06-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with
Lakhisarai P.S.Case No.383 of 2017 dated 11.10.2017 , registered
for offences punishable under Sections 302, 120(B)/34 of the
Indian Penal Code.

Allegation against the petitioner is that he along with other
accused persons killed the deceased by firing.

Submission of the learned counsel for the petitioner is that
the FIR itself shows that specific allegation is against Jitendra
Yadav and Rakesh Kumar of firing and the petitioner has been
falsely implicated in this case.

Heard learned A.P.P. also, who has opposed the prayer for
bail on the ground that the deceased has taken the name of the



petitioner as the assailant.

Having heard both sides and in view of the facts and circumstances, as stated above, as well as there is specific allegation against Jitendra Yadav and Rakesh Kumar of firing, let the petitioner, above named, surrender before the court below within a period of six weeks from the date of receipt of the order and on surrender he will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Lakhisarai in connection with Lakhisarai P.S.Case no.383 of 2017 dated 11.10.2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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