

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52805 of 2018

Arising Out of PS.Case No. -45 Year- 2007 Thana -DUMARIYA District- GAYA

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Ramdhani Bhuiyan @ Ramdhani Yadav @ Radhani Bhuiyan, Son of Udit
Yadav, Resident of Village- Dubadh, P.S.- Dumaria, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Indrajesh Kumar, Advocate
For the Opposite Party: Mr. J.K. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 20-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 147, 148, 149, 323, 341, 342, 427, 435, 379, 307 of the Indian Penal Code, Section 27 of the Arms Act and Section 17 of the C.L.A. Act registered in connection with Dumaria P.S. Case No. 45 of 2007.

3. It is submitted that the petitioner has been falsely implicated in an FIR instituted against unknown 400-500 persons as far back as in 2007 and warrant of arrest has been issued against him after a decade. The petitioner is neither named in the FIR nor has any overt act been attributed to him. The petitioner claims clean antecedents.

4. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (ten



thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sherghatty (Gaya) in connection with Dumaria P.S. Case No. 45 of 2007, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further 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 cooperate with the investigation 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.

(iv) 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.

(Vikash Jain, J)

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