

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62586 of 2018

Arising Out of PS. Case No.-117 Year-2018 Thana- PIRO District- Bhojpur

Sabha Yadav son of Jagmohan Yadav, resident of village-Inarpatpur, P.S. Piro
(Hasan Bazar), District-Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Ashok Kumar

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 06-12-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with Piro (Hasan Bazar) P.S. Case No. 117/2018 registered for the offence punishable under Sections 364/302/201/120(b) of the Indian Penal Code.

Learned counsel for the petitioner submits that though he was not named in the F.I.R., subsequently, on the basis of the confessional statement made before the police, the name of the petitioner has been dragged into this case. It is further submitted that the persons who has named the petitioner is none other than the contesting candidates who had lost the election of *Mukhiya* in which his wife had contested and had been elected as *Mukhiya*. Thus on account of such political rivalry the



petitioner has been mischievously named in connection with the present case. He further submits that he is a law abiding citizen and shall at all stages co-operate in the investigation and in the trial which shall follow.

Considering the aforementioned submissions that the name of the petitioner has come during the course of investigation, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Ara, Bhojpur, in connection with Piro (Hasan Bazar) P.S. Case No. 117/2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C., 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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