

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20647 of 2018

Arising Out of PS.Case No. -104 Year- 2011 Thana -ANDER District- SIWAN

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1. Shambhu Yadav, son of Rama Yadav, resident of Village- Dahabari, P.S.
Andar, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Sri Umeshnand Pandit

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 26-04-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with
Ander P.S.Case No.104 of 2011, registered for offences
punishable under Sections 147, 323, 353, 337 and 504 of the
Indian Penal Code.

Allegation against the petitioner and a large number of other
accused persons is that when the excise personnel raided the house
of the petitioner, he started pelting brick-bats, due to which some
of them received injuries.

Submission of the learned counsel for the petitioner is that
the allegation is false and concocted and no specific allegation has
been attributed against him and a large number of accused persons
have been made accused in this case.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, 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 A.C.J.M. III, Siwan in connection with Andar P.S.Case No.104 of 2011, 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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