

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1743 of 2018

Arising Out of PS.Case No. -79 Year- 2017 Thana -SULTANGANJ District- BHAGALPUR

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Fakira Yadav @ Rakesh Yadav @ Rakesh Kumar Yadav S/o Late Bulki @
Bulaki Yadav, R/o Mohalla- Balughat, Sultanganj, P.S.- Sultanganj,
District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Dr. Manoj Kumar, Advocate.

For the Opposite Party : Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 11-01-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 16.05.2017 in connection with Sessions Trial No. 817 of 2017 arising out of Sultanganj P.S. Case No. 79 of 2017 for the offences alleged under Sections 302/34 of the Indian Penal Code and 27 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated and he is not named in the F.I.R. The accusation of firing is upon other co-accused. The petitioner's name has surfaced in course of investigation and he is said to have give call. Other co-accused Dholak Yadav and Vikram Yadav who are said to have made indiscriminate firings have since been granted bail by this Court in Cr. Misc. No. 27568 of 2017 and Cr. Misc. No. 35660 of 2017 respectively and the petitioner's case stands on much better footing.

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 1st Additional District Judge, Bhagalpur in connection with Sessions Trial No. 817 of 2017 arising out of Sultanganj P.S. Case No. 79 of 2017, 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)

Md. Ibrarul/BT

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