

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12100 of 2018

Arising Out of PS.Case No. -8 Year- 2015 Thana -DHIBRA District- AURANGABAD

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Dara Yadav @ Dadan Yadav S/o Iswari Yadav, R/o Village- Ban
Bisunpur, P.S.- Dhibra, District- Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ashok Kumar Singh, Advocate.

For the Opposite Party : Mr. R.P. Nat, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 15-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 20.01.2017 in connection with Sessions Trial No. 154 of 2017/ 760 of 2017 arising out of Dhibra P.S. Case No. 8 of 2015 for the offences alleged under Sections 147, 148, 149, 341, 120B, 124A, 353, 307, 386 of the Indian Penal Code, Section 25(1-B) A, 26, 35, 27 of the Arms Act, 4/5 Explosive Substance Act, 17 CLA Act & 38, 39 & 40 UPA Act.

3. It is submitted that the petitioner who is an F.I.R. named accused, has been falsely implicated along with several other persons. None was arrested at the spot, the petitioner and some other persons have been implicated merely on secret information said to have been received by the informant. Except this, there is no other material to connect the petitioner with the



alleged occurrence. No incriminating articles have been recovered from the petitioner nor he has been put on Test Identification Parade for his identification. Similarly situated co-accused namely Abhay Yadav @ Govind Yadav, Krishna Yadav @ Kaushal Jee, Surendra Yadav @ Sukesh Ji and Ram Pravesh Yadav have been granted bail by this Court.

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 Ad hoc Additional District & Sessions Judge-VII, Aurangabad, in connection with Sessions Trial No. 154 of 2017/ 760 of 2017 arising out of Dhibra P.S. Case No. 08 of 2015, 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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