

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10190 of 2018

Arising Out of PS. Case No.-59 Year-2015 Thana- LAXMIPUR District- Jamui

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Gautam Yadav, Son of Sri Kodan Yadav alias Borhan Yadav, Resident of
Village- Badhma Hahadiya, P.S.- Laxmipur, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakash Mahto

For the Opposite Party/s : Mr. SRI RAMCHANDRA SINGH

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-02-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in Laxmipur P.S. case no.
59 of 2015 instituted for the offence under Section(s)
302,120B/34, 427 of the Indian Penal Code and Section 27 of
the Arms Act.

Learned counsel for the petitioner has submitted that
police has submitted final form against this petitioner showing
him innocent vide Annexure-2. But, the learned Court below
has taken cognizance against petitioner by order dated 6.9.17



after differing with the final form and submitted charge sheet. In the written report there is general and omnibus allegation against this petitioner. The specific allegation is against co accused Bibhuti Pandey of causing fire arm injury to the son of the informant.

Learned counsel for the informant appeared and opposed the prayer for bail.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Laxmipur P.S. case no. 59 of 2015, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M. III, Jamui, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions:(1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of



the case, in that case, prosecution will be at liberty to move for
cancellation of bail of the petitioner.

(Sanjay Priya, J)

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