

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63114 of 2017

Arising Out of PS.Case No. -222 Year- 2017 Thana -MAKHDUMPUR District- JEHANABAD

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1. Karu Yadav @ Sanjeet Kumar Son of Suryadeo Yadav, Resident of Village - Saren, Police Station - Makhdumpur (Tehta O.P.), District - Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar

For the Opposite Party/s : Sri Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 11-01-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Makhdumpur (Tehta O.P.) Police Station Case No. 222 of 2017 registered for offences punishable under sections 147, 148, 353 of the Indian Penal Code and section 27 of the Arms Act.

The above case has been registered on the self statement of S.H.O., Tehta O.P. It is alleged that on 15.08.2017 this petitioner and his associates while passing through the police station, raised slogan against the police and shot firing in the air. The name of this petitioner was disclosed by Chaukidar.

It has been submitted that no incriminating article has been recovered from the possession of the petitioner. Empty



cartridge has been recovered near the railway crossing. The father of this petitioner himself is a Police Constable and so it is supposed that the petitioner would hurl slogan against the police. The other FIR named co-accused namely Suryadeo Yadav having similar allegation has been allowed bail by the learned Court below on 10.10.2017 in Bail Petition No. 808 of 2017. Further submission is that the petitioner is in custody since 26.08.2017 and his case stands on similar footing to the case of co-accused who has been allowed bail.

Considering that the case of petitioner stands on similar footing to the case of other co-accused who is on bail and facts and circumstances of the case, the prayer for bail is allowed and the above named petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Jehanabad in connection with Makhdumpur (Tehta O.P.) Police Station Case No. 222 of 2017, subject to the 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 cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(iv) If the petitioner is found involved in similar type of offence in future, the prosecution will have liberty to move for cancellation of his bail.

(Sanjay Kumar, J)

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