

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51823 of 2018

Arising Out of PS. Case No.-10 Year-2013 Thana- ROSHANGANJ District- Gaya

Hiraman Yadav @ Hira Yadav, Son of Baleshwar Yadav, Resident of Village-Barha, P.S.- Chhakerbandha (Dumaria), District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Sri Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

6 21-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Roushanganj P.S. Case No. 10 of 2013** registered for the offence punishable under Sections 147, 148, 149, 353, 427, 379, 302, 124A and 120B of the Indian Penal Code, Section 27 of the Arms Act, Section 17 of the C.L.A. Act and Section 3/4 of the Explosive Substances Act.

Allegation against the petitioner is of being a member of extremist group and exploding the police jeep along with FIR named accused, on account of which 6 police personnel and one civilian died.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on suspicion. Petitioner is not named in the FIR and there is no specific allegation against him. Petitioner has been remanded in



this case on 09.01.2018 and since then he is in custody. Similarly, situated co-accused persons have been granted bail by co-ordinate benches of this Court vide orders dated 09.03.2016 in Criminal Miscellaneous No. 36046 of 2015, 25.05.2016 in Criminal Miscellaneous No. 22315 of 2016 and 30.03.2017 in Criminal Miscellaneous No. 6232 of 2017.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Sub Divisional Judicial Magistrate-Sherghati, Gaya** in connection with **Roushanganj P.S. Case No. 10 of 2013**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the 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.

(S. Kumar, J)

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