

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48277 of 2018

Arising Out of PS. Case No.-18 Year-2018 Thana- BARARI District- Katihar

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Manoj Yadav @ Manoj Kr. Yadav S/o late Dwarika Prasad Yadav Resident of
Village- Kudiya, P.S. Barari, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh
For the Opposite Party/s : Mr. Sri Nityanand

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 18-09-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection
with **Barari P.S. Case No. 18 of 2018** registered for the offence
punishable under Section 307 of the Indian Penal Code and
Section 27 of the Arms Act.

Allegation against the petitioner is of causing fire arm
injury on the nephew of the informant. However, during
investigation the statement of injured-nephew was recorded in
which he has stated that Akhilesh Yadav had fired upon him
from which he suffered injury. Petitioner has got no criminal
antecedent.

Considering the aforesaid facts and circumstances of
the case, let the petitioner named above be released on bail, in



the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Katihar**, in connection with **Barari P.S. Case No. 18 of 2018**, subject to the condition as laid down under Section 438(2) of the Cr.P.C 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 present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.
- (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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