

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73611 of 2018

Arising Out of PS. Case No.-63 Year-2017 Thana- PHULWARIA District- Begusarai

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Rajeev Yadav, S/o Late Naresh Yadav, R/o Vill- Baghmara, P.S.- Barauni,
Dist- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey
For the Opposite Party/s : Mr.Smt. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 20-12-2018 Heard learned counsel for the parties.

Petitioner seeks bail in Phulwariya P.S. Case No. **63 of 2017** registered for the offence punishable under Sections 399, 402 & 120(B) of the Indian Penal Code and also under Section 25(1-B)a, 26, 27 & 35 of the Arms Act and 3/4 Explosive Substance Act.

It is alleged in the written report that on getting information that at an orchard, Rajeev Yadav and his associates were making plan to commit offence, police party reached there. Seeing the police party, the accused persons started fleeing away but four persons were apprehended on the spot and fire arms live cartridges have been recovered from the possession of



the petitioner.

It has been submitted on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the possession of the petitioner. Similarly placed co-accused persons have already been granted bail as contained in Annexure-2. Petitioner is in custody since 23.05.2017.

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 J.M.-Ist class, Begusarai in connection with Phulwariya P.S. Case No. **63 of 2017**, 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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