

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65093 of 2018

Arising Out of PS. Case No.-9 Year-2007 Thana- ATRI District- Gaya

Vijay Prasad S/o late Kishun Prasad Resident of Village- Bhojpur, P.S. Atri,
District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Sir Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 19-11-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Atri P.S. Case No. 09 of 2007**

registered for the offence punishable under Sections 147, 148, 149, 302, 452, 380, 379, 427 of the Indian Penal Code, Section 27 of the Arms Act and Section 3/4 of Explosive Substance Act.

Allegation against the petitioner is of destroying the house of the Informant by Dynamite along with FIR named accused and 200 people as well as committing murder of Bandhu Yadav. It is further alleged that they also took away the jewellery, cash, wheat and rice.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. It has been further submitted that no incriminating article has been recovered from the possession of the petitioner. Petitioner has



got no criminal antecedent and is in custody since 11.06.2018. Similarly, situated co-accused person has been granted bail by a co-ordinate bench of this Court vide order dated 12.03.2015 in Criminal Miscellaneous No. 6511 of 2015.

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 **Chief Judicial Magistrate, Gaya**, in connection with **Atri P.S. Case No. 09 of 2007**, 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 represented on each and every date fixed by the court.

(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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