

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75168 of 2018

Arising Out of PS. Case No.-434 Year-2018 Thana- KAHALGAON District- Bhagalpur

Dharmendra Kumar Yadav, Son of Lok Nath Yadav, Resident of Village-
Ramjanipur, P.S.- Shiv Narayanpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiwesh Chandra Mishra

For the Opposite Party/s : Mr. Sakir Ahmad

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 17-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in Kahalgaon (Shivnarayanpur)

P.S. Case No.434/18 registered for the offence punishable under
Sections 216A, 399, 402 and 411 of the Indian Penal Code and
Section 25(1b), 26, 35 of the Arms Act.

Informant is a Police Officer who has alleged that he
received a confidential information that some miscreants have
assembled in orchard to commit highway dacoity and after
reaching the said place, two accused were apprehended on the
spot and rest managed to flee away. It is further alleged that
from their possession, mobile phones and knives were
recovered. The person who fled away leaving pistol was
identified as Umesh Yadav by one of the apprehended criminal
Shrawan Kumar.



Learned counsel for the petitioner has submitted that the petitioner is innocent and he has falsely been implicated in this case due to dirty village politics. It has further been submitted that nothing has been recovered from the conscious possession of the petitioner.

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, Bhagalpur in connection with Kahalgaon (Shivnarayanpur) P.S. Case No.434/18, 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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