

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66366 of 2018

Arising Out of PS. Case No.-117 Year-2018 Thana- GOGRI District- Khagaria

Butan Yadav @ Butan Prasad Yadav S/o Dunilal Yadav Resident of Village-
Poura, P.S. Gogari, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Sir Pawan Kumar Chaurasiya (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 18-12-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Gogari (Poura) P.S. Case No. 117 of 2018 registered for the offences punishable under Sections 307/34, 353 of the Indian Penal Code and Section 27 of Arms Act.

Informant is the Circle Officer who in his written complaint addressed to Officer-in-charge has alleged that pursuant to order of D.C.L.R. he had gone to harvest the crop over the disputed land then petitioner and three accused came and started indiscriminate firing to terrorize the people and for sometime the work was stopped. It has been alleged that petitioner is creating hindrance in smooth functioning of official work.



It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case merely on suspicion. There is no specific allegation against the petitioner. Petitioner has no criminal antecedent and is in custody since 11.08.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Khagaria, in connection with Gogari (Poura) P.S. Case No. 117 of 2018, subject to 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 Court and his absence on two consecutive dates without sufficient reasons, 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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