

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32247 of 2018

Arising Out of PS.Case No. -97 Year- 2017 Thana -SONO District- JAMUI

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Rupan Yadav, S/o Nuneshwar Yadav, Resident of Village- Jarkaha, P.S.-
Sono, District- Jamui

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Smt. Sahin Begam, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 02-07-2018 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is in custody since 10.07.2017 in connection with Sono (Charkapaththar) P.S. Case No.97 of 2017 registered for the offence under Sections 147, 148, 149, 120B, 121A of the Indian Penal Code and Section 3 of the Explosive Substances Act and Section 16/17/18/19/20/21/22 of the U.A.P. Act.

Learned counsel for the petitioner submits that though the petitioner is named in the F.I.R., only because he is suspected to be a member of the gang of Surang Yadav, he has been taken into custody. It is further submitted that on the basis of suspicion and also because one Bharat Yadav having been the part of the same gang of Surang Yadav was arrested, the



petitioner is also facing prosecution. It is further submitted that the person so apprehended, namely, Bharat Yadav, has not named the present petitioner to be part of the gang and has merely stated that he is a part of the gang of Surang Yadav and Surang Yadav has stated that he used the detonator to blow up the bridge.

Having heard learned counsel for the petitioner and the State and also because only on the basis of suspicion that the petitioner is also a part of the same gang, the petitioner has been taken into custody and also because he has been in custody for nearly one year, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1st, Jamui,, in connection with Sono (Charkapaththar) P.S. Case No.97 of 2017, subject to the following conditions:

(1) One of the bailors will be the father of the petitioner.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons,



his bail bonds shall be liable to be cancelled by the learned court concerned.

(4)The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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