

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1065 of 2019

Arising Out of PS. Case No.-1083 Year-2018 Thana- SAHARSA District- Saharsa

Bhushan Yadav, aged about 35 years, Male, son of Krishna Kanhaiya Yadav
@ Krishna Yadav Resident of Village - Sonbarsa, P.S.-Chautham, District-
Khagaria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr. Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 21-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Saharsa Sadar P.S. Case No.
1083/2018 registered for the offence punishable under Sections
353, 307, 333, 334. 337/34 of the Indian Penal Code and
Section 25(1-B)a, 26, 27 and 35 of the Arms Act.

Informant is a Police Officer who has stated that on
receiving secret information he constituted a team and they
proceeded towards the school and they found two persons
fleeing away on motorcycle and when being challenged, the
pillion rider started firing upon the police and in retaliation, the
police also fired from which the pillion rider got injured and fell
from the motorcycle and was apprehended. However, the rider
of the motorcycle managed to flee away and his name was



disclosed by the injured pillion rider, Pappu Yadav.

It has been submitted on behalf of the petitioner that he has been falsely implicated in this case and there is no allegation against him of firing and he has not been apprehend from the place of occurrence. He is accused in one case of Arms Act and apart from that, he has no criminal antecedent. Petitioner is in custody since 05.10.2018.

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, Saharsa in connection with Saharsa Sadar P.S. Case No. 1083/2018 , 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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