

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2543 of 2019

Arising Out of PS. Case No.-68 Year-2018 Thana- PAHARPUR District- East Champaran

Sitan Yadav @ Sitam Yadav Kishundeo Yadav Resident of village-
Majhariya- P.S.- Malahi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Pandey

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 21-01-2019 Heard learned counsel for the petitioner and State.

The petitioner is in custody in connection with Trial
No. 1880 of 2018 arising out of Paharpur (Malahi) P.S. Case
No. 68 of 2018 for the offence under Sections 147, 148, 149,
302, 307 of the Indian Penal Code and Section 25 (1-b)a,
26/27/35 of Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 23.03.2018. He further submits
that the allegation against the petitioner is that he was only a
member of the mob. He further submits that there is no specific
allegation against this petitioner. Allegation of firing is against
one Muna Yadav which caused death of the victim. There is no
allegation of firing on victim against this petitioner. Learned
counsel for the petitioner submits that similarly circumstanced



other accused have been granted anticipatory bail in Crl. Misc. No. 39027 of 2018 vide order dated 03.08.2018.

Considering the aforesaid, let the petitioner named above, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class Motihari, in connection with Tr. No. 1880 of 2018 arising out of Paharpur (Malahi) P.S. Case No. 68 of 2018, subject to the condition that petitioner is required to assist the trial Court in the instant case on regular basis and in case he failed to appear on the date fixed without any cogent reason, the Court below shall be at liberty to cancel the bail bond of the petitioner.

(Anil Kumar Upadhyay, J)

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