

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12456 of 2019

Arising Out of PS. Case No.-32 Year-2017 Thana- RAJNAGAR District- Madhubani

ROHIT YADAV, Son of Sahdeo Yadav Resident of Village- Ranti Mohanpur,
P.S.- Rajnagar, District -Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Singh

For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 04-04-2019

Heard learned counsel for the parties.

Petitioner, who is in custody, seeks bail registered for the offences punishable under Sections 115 and 400 of the Indian Penal Code and under Section 25(1-b)a, 25(1-A), 26(1) and 35 of the Arms Act.

Informant who is a police officer has alleged in his written complaint that on receipt of secret information that some miscreants had assembled to commit grave crime, he along with other police personnel raided said place and on seeing police party all miscreants started fleeing away but out them one fell down and from his possessions arms were recovered and later he disclosed the names of his associates.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case.



He is not named in FIR. Name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused Shatrughan Yadav and except said confessional statement of co-accused there is no other incriminating material against petitioner. Nothing recovered from the possession of petitioner. It has been further submitted that similarly placed co-accused, Bala Mishra, has been granted bail by co-ordinate Bench of this Court as contained in Annexure-2 of the petition. He is in custody since 01.05.2017.

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 court below where the case is pending in connection with **Rajnagar P.S. Case No. 32 of 2017**, with following condition:-

(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)

manoj/-

U		T	
---	--	---	--

