

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15466 of 2019**

Arising Out of PS. Case No.-166 Year-2008 Thana- MADANPUR District- Aurangabad

RAM CHANDRA YADAV @ SIDHANATH YADAV @ BIKASH YADAV
@ BIKASH JI S/o Salik Yadav Resident of Village-Narayanpur,P.S.-
Bandheya, District-Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lal Bahadur Singh

For the Opposite Party/s : Mr.Satyendra Prasad

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

6 23-07-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 302, 307, 353, 332, 333/34 of the Indian Penal Code, 25(1-b)a, 26, 27 of the Arms Act and 17 of C.L.A. Act.

The prosecution case in short is that the accused persons, variously armed, on seeing the police party started firing due to which one guard sustained injury and later succumbed to the injury.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 6.3.2018. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. The name of the petitioner has transpired from a diary which was recovered from the house of co-



accused. Except for suspicion, there is no other substantive evidence to suggest his implication in the present case nor there is any eye witness to the alleged occurrence. It is further submitted that the petitioner will cooperate during the trial. Other co-accused has been granted bail vide order dated 7.12.2018 passed in Cr. Misc. No. 57354 of 2018.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Aurangabad (Bihar) in connection with S. Tr. No. 268 of 2018 arising out of Madanpur P.S. Case No. 166 of 2008 with a condition that petitioner will be present on each and every date fixed at the trial. If the petitioner fails on two consecutive dates, the trial Court will have liberty to cancel his bail bonds and secure his attendance/apprehension in accordance with law.

(Sudhir Singh, J)

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