

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78942 of 2018

Arising Out of PS. Case No.-72 Year-2016 Thana- PARAIYA District- Gaya

Shankar Yadav S/o Late Laxmi Yadav R/vill-English, P.S-Chandauti, Distt.-
Gaya.

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kiran Sinha

For the Opposite Party/s : Mr.Sri Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 11-03-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Paraiya P.S. Case No. 72 of 2016 registered for
the offence punishable under Sections 447, 384, 379/34 of the
Indian Penal Code and Section 17 of C.L.A. Act.

Informant has alleged in his written complaint that
on 04.06.2011 at 9.45 PM he was informed by his Munshi that
when work of road repairing was going on, 10-12 extremists
came and they stopped the work of road repairing and assaulted
his drivers and also threatened that if levy is not paid to them,
the work will not be allowed to start. FIR was registered against
unknown.

It has been submitted on behalf of the petitioner that



petitioner is not named in the FIR. He has been falsely implicated in this case only on suspicion. Informant is not the eye witness of the occurrence rather he had been informed through mobile by Munshi. It has been further submitted that nothing was recovered from the possession of petitioner nor he was apprehended from the spot. Petitioner is in custody since 04.08.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IIIrd, Gaya, in connection with Paraiya P.S. Case No. 72 of 2016 subject to the conditions that:-

(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 his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.



(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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