

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25974 of 2019

Arising Out of PS. Case No.-72 Year-2018 Thana- KAUWAKOL District- Nawada

BALIRAM YADAV S/o Bhola Yadav R/o village- Bainipur, P.S.- Rupoa,
District- Nawada

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suresh Singh
For the Opposite Party/s : Mr.Ashraf Ansari

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 22-04-2019 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 147, 148, 149, 302 IPC and 27 of the Arms Act registered in connection with Kawakol (Rupoa) P.S. Case No. 72/2018.

3. It is submitted that the petitioner has been falsely implicated on the accusation that the accused persons came armed and co-accused Chandan Yadav fired upon the informant causing injury and thereafter other co-accused persons also made firing. It is submitted that direct accusation of firing upon the deceased is on co-accused Chandan Yadav whereas, accusation of firing against other co-accused persons are general and omnibus in nature and no allegation of injury has been made or death caused of such firing has been alleged against the petitioner. The petitioner is accused in one prior case, in which he is on bail.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned



ACJM III, Nawada in connection with Kawakol (Rupoa) P.S. Case No. 72/2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran/-

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

