

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30289 of 2019**

Arising Out of PS. Case No.-302 Year-2017 Thana- GAYA KOTWALI
District- Gaya

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VICKY YADAV, aged about 28 years, male, Son of Krishna Yadav Resident of
Village - Maharani Road, P.S.- Kotwali, Dist.- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjeev Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 01-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 447, 147, 148, 149, 504 of the Indian
Penal Code and Section 27 of the Arms Act registered in
connection with Kotwali P.S. Case No. 302 of 2017.

3. It is submitted that the petitioner has been falsely
implicated in the backdrop of past enmity between the informant
and co-accused Ranjan Yadav. No recovery of any incriminating
articles has been made from the place of occurrence which
falsifies the prosecution story of firing and explosion of bomb. No
specific overt act has been alleged against the petitioner and the
accusations are general and omnibus in nature. No injury has
been caused to any person. Similarly situated co-accused Ponga
Prasad, Rahul Kumar @ Jhilkat@ Rahul, Raushan Kumar and
Jeetu Yadav have been granted anticipatory bail by this Court
(Annexure-2 series). Statement is made at the Bar that both prior
cases in which the petitioner has been made accused have been



lodged at the instance of the informant.

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 Chief Judicial Magistrate, Gaya in connection with Kotwali P.S. Case No. 302 of 2017, 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 cooperate 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) That 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)

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