

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28286 of 2019

Arising Out of PS. Case No.-197 Year-2017 Thana- BODHGAYA District- Gaya

SANJAY YADAV S/o Late Mithlesh Yadav R/o village- Chandauti, P.S.-
Chandauti, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Sinha
For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 01-05-2019 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, 341, 323, 379, 506 IPC registered in connection with Bodh Gaya P.S. Case No. 197/2017.

3. It is submitted that the petitioner has been falsely implicated and the accusations are general and omnibus in nature without any specific overt act attributed individually. The offence under Section 379 IPC is mere embellishment. The FIR has not been lodged by the alleged victim rather by the Manager of the petrol pump. The petitioner is accused in two prior cases, 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 CJM, Gaya in connection with Bodh Gaya P.S. Case No. 197/2017, 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 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)

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