

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31479 of 2019

Arising Out of PS. Case No.-73 Year-2016 Thana- GOH District- Aurangabad

Kariman Yadav @ Raj Kishor Yadav, aged about 46 years, Male-Gender, Son of Late Baleshwar Yadav @ Sadhu Yadav, Resident of Village - Budhai Khurd, P.S.- Upahara, Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh, Adv.

For the Opposite Party/s : Mr. Ajay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-07-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 412, 216, 120(B), 121, 124(A), 419, 416, 386 of the Indian Penal Code. And 25 (1-b) a/25 (1-a)/26/35 of the Arms Act and 17 C.L.A., Act.

Informant is the police officer, who in his self statement has stated that the he received a confidential information that assembling of top naxal leaders and Bagesh Yadav are planning to commit some crime and on receiving such information, he alongwith other police personnel reached there, where 10-12 miscreants had assembled and on seeing the police party all



the miscreants started fleeing away, however, two of them Bagesh Yadav and Sarju Ram were apprehended after chase, apprehended persons disclosed the name of 10 persons.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 17.12.2018. He is innocent and he has been falsely implicated in this case. Name of petitioner has surfaced in this case only on the basis of confessional statement of one co-accused namely Bagesh Yadav and Saryu Ram, except confessional statement nothing is against the petitioner. Co-accused namely, Bhagesh Yadav has been granted by this Hon'ble Court in Cr. Misc. No. 8292 of 2017 dated 07.03.2017. Another co-accused have also been granted bail in Cr. Misc. 4359 of 2018 dated 07.03.2018 and Cr. Misc. No. 62744 of 2018 dated 11.10.2018.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Goh P.S. Case No. 73 of 2016 to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad, subject to the following conditions:



(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 shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.

(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.

(Anjani Kumar Sharan, J)

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