

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33433 of 2019

Arising Out of PS. Case No.-68 Year-2017 Thana- JHAJHA District- Jamui

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YOGENDRA YADAV @ JOGIYA YADAV @ YOGIYA YADAV Son of
Rudo Yadav Resident of Village - Gamhariya, P.S.- Jhajha, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Prasad

For the Opposite Party/s : Mr.Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 30-08-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 398, 307 of the Indian Penal
Code and Section 27 of the Arms Act.

Prosecution case is that while the informant along
with one another person was going his home, six accused
persons boarding on two motorcycles came and, companion of
the informant was assaulted with lathi and thereafter, other
accused persons fired upon the informant and in the meanwhile,
having seen a Bolero coming towards the place of occurrence,
the accused persons fled away.

It has been submitted on behalf of the petitioner that
there is no allegation of tampering of witnesses alleged against



the petitioner. The petitioner is in custody since 09.01.2018. The F.I.R. is against unknown. The other co-accused namely Ashok Yadav with similar allegation and Deepak Tanti have been granted bail by coordinate Benches of this Court vide order dated 15.04.2019 passed in Cr. Misc. No. 24084 of 2019 and order dated 24.04.2019 passed in Cr. Misc. No. 16411 of 2019.

In the facts and circumstances of the case, 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 to the satisfaction of the learned Sub Divisional Judicial Magistrate, Jamui in connection with Jhajha Police Station Case No. 68 of 2017, subject to the conditions:

(I) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(II) 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.

(III) 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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