

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48160 of 2017

Arising Out of PS. Case No.-1 Year-2014 Thana- AMAS District- Gaya

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Bhim Yadav @ Hari Mohan Yadav @ Hari Mohan @ Pahari Full @ Lulha
Son of Late Kheman Yadav Resident of village- Mainka, P.S.- Imamganj,
Dist.- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.S. Jamil Akhtar

For the Opposite Party/s : Mr.Sri Shailendra Kumar -2

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

8 15-10-2019 No one appears on behalf of the petitioner.

Learned counsel for the State is present.

The petitioner is in custody, on his remand, since 31.07.2017 in connection with Amas P.S. Case No. 1 of 2014 for the offence registered under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act and Section 17 of the CLA Act.

Diary of the present case was called for which has since been received.

Learned counsel for the State, after perusal of the case diary submits that the petitioner belongs to the extremist group and as per the recitals in the case diary, it appears that the present petitioner was amongst the crowd which is said to have



participated in the occurrence and the petitioner's name is amongst those stated in the first information report amongst 31 named accused persons along with 22-25 unknown persons. It further appears that the petitioner was remanded in connection with the present case on 31.01.2017 and has been in custody since then but there is no specific allegation against this petitioner.

Learned counsel for the State submits that the name of the petitioner figures amongst those named in the first information report and since he is having criminal antecedent may not be granted the privilege of regular bail.

Considering the aforesaid facts and circumstances of the case and that the petitioner has already been in custody since over 2 and ½ years in connection with the present case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Sherghati, Gaya in connection with Amas P.S. Case No. 1 of 2014, subject to the following conditions:-

1. One of the bailors will be his own blood relative, preferably, father, mother, son, brother, sister and/or his wife.
2. The petitioner shall not indulge himself in any



similar offence till conclusion of the trial.

3. The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

4. 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.

(Anjana Mishra, J)

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