

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64571 of 2018

Arising Out of PS. Case No.-106 Year-2016 Thana- HASANPUR District- Samastipur

Krishna Kumar Yadav @ Murhi @ Krishna Yadav S/o Late Ram Chandra Yadav, R/o Village- Paridha, P.S. Hasanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Chandrasen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 14-02-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 448, 341, 323, 324, 325, 307,354, 379, 504, 506 and later added Section 302 IPC registered in connection with Hasanpur P.S. Case No. 106/2016.

3. It is submitted that the petitioner has been falsely implicated and the FIR has been instituted against as many as 10 persons who all are family members. The petitioner is said to have assaulted the deceased with farsa on his head, but the same is not corroborated with the injury report, which shows lacerated wound caused by hard blunt substance. Other similarly situated co-accused have been granted bail by this Court in Cr. Misc. No. 45029/2017 and Cr. Misc. No. 43393/2016. The petitioner claims clean antecedents.

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 ACJM III, Rosera, Samastipur, in connection with Hasanpur P.S. Case No.



106/2016 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.

Chandran/-

(Vikash Jain, J)

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