

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71228 of 2018

Arising Out of PS. Case No.-132 Year-2018 Thana- PHULPARAS District-
Madhubani

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Shambhu Yadav Son of Shobha Lal Yadav, Resident of Village-
Sishwabarhi, P.S.- Phulparas District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 18-01-2019 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, 504, 506, 307 IPC and Section
27 of the Arms Act registered in connection with Phulparas P.S. Case
No. 132 of 2018.

3. It is submitted that the petitioner has been falsely implicated and
there is no accusation of any assault committed by the petitioner. The
thrust of accusation of having fired is on co-accused Sunil Yadav, who
said to have fired upon the informant. The petitioner claims clean
antecedents.

4. Be that as it may, having regard to the entirety of the facts and
circumstances, 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 IInd, Jhanjharpur at Madhubani, in connection with Phulparas
P.S. Case No. 132 of 2018, 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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