

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78093 of 2018

Arising Out of PS. Case No.-26 Year-2018 Thana- AZIMABAD District- Bhojpur

Indal Kumar Yadav @ Indal Singh S/o Bhutali Yadav @ Butai Ray, R/o Vill.-
Narbirpur, P.S.- Chandi, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarendra Kumar, Adv.

For the Opposite Party/s : Mr.Sri Madan Kumar (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 08-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Azimabad P.S. Case No. 26 of 2018 registered for the offences punishable under Sections 393, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against 4-5 unknown accused who had concealed their face is attempt to snatch cash and firing on the informant, who is an employee of Broadsons Commodities Pvt. Ltd, situated at Sahar, causing injury on his hand.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. Petitioner is not named in the F.I.R. He has been implicated in this case on basis of confessional statement made by co-accused. There is no recovery of any incriminating article from the



possession of the petitioner. Similarly placed co-accused have been granted bail by co-ordinate bench of this court as contained in Annexure-2 & 3. Petitioner is in custody since 28.08.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur, Ara, in connection with Azimabad P.S. Case No. 26 of 2018, subject to 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.

(S. Kumar, J)

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