

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59775 of 2019

Arising Out of PS. Case No.-480 Year-2018 Thana- BARAUNI District- Begusarai

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NACHATRA YADAV S/o Late Aajo Yadav @ Late Ajay Yadav Resident of
Village- Sihma, P.S.- Bithan, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Abhay Kumar

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 23-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Section 307/34 of the Indian Penal Code and
Section 27 of the Arms Act, registered in connection with
Barauni P.S.Case No. 480 of 2018.

3. It is submitted that the petitioner has been falsely
implicated on the accusation of having fired and hit the left
palm of the informant. It is, however, submitted that there is no
injury report to corroborate the aforesaid allegation. As a matter
of fact, the informant himself is a veteran criminal. There is
delay in lodging the FIR on 08.10.2018 for the alleged
occurrence of 07.10.2018. The petitioner claims clean
antecedents.



4. Be that as it may, in the event of petitioner's arrest or surrender within four weeks hereof, let the above named petitioner be released on provisional bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Barauni P.S. Case No. 480 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) That petitioner shall remain physically 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.



(v) The provisional bail granted to the petitioner shall be confirmed by the learned court below upon verification within a further period of four weeks after furnishing bail bond, that no fire-arm injury was sustained by the informant on his left palm. If any fire-arm injury is found, his bail bond shall stand automatically cancelled.

(Vikash Jain, J)

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