

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77975 of 2018

Arising Out of PS. Case No.-391 Year-2017 Thana- BODHGAYA District- Gaya

=====

Dharmendra Yadav S/o Late Suresh Yadav, R/o Vill.- Dindayal Nagar, P.S.-
M.M.C.H. Present Chandouti, District- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Satya Veer

For the Opposite Party/s : Mr.Sri Mukesh Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 24-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Bodh Gaya (Cherki) P.S.**

Case No. 391 of 2017 registered for the offence punishable under Sections 342, 323, 326, 307,120(B) and 34 of the Indian Penal Code and under Section 27 of the Arms Act.

Informant in his written complaint has stated that when he was going to Shoan Bigha at about 9:30 pm where petitioner and other co-accused were sitting in Bolero vehicle and when they saw him they forcibly pulled him in the Bolero vehicle and started assaulting him. He has further stated that Dharmendra Yadav (petitioner) fired on his chest from his pistol.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. No



firearm injury has been found in injury report. Similarly, situated co-accused person has been granted bail by this Court as contained in Annexure- 3. Petitioner has got no criminal antecedent and is in custody since 18.07.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Gaya**, in connection with **Bodh Gaya (Cherki) P.S. Case No. 391 of 2017**, with following 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 the Court and his absence on two consecutive dates without sufficient reason, 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)

ranjan/manoj-

U		T	
---	--	---	--

