

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71260 of 2018

Arising Out of PS. Case No.-89 Year-2018 Thana- SHAMBHUGANJ District- Banka

Dhananjay Yadav Son of Yaddu Yadav, the resident of Village Manghangay,
P.S.- Shambhugunj, District- Bhagalpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Swapnil Kumar Singh, Advocate
For the Opposite Party : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 29-01-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 341, 307, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Shambhugunj P.S. Case No. 89 of 2018.

3. It is submitted that the petitioner has been falsely implicated on the accusation of having fired on the informant. The petitioner claims clean antecedents. Perusal of paragraph 92 of the case diary containing the final injury report of the informant discloses that penetrating wound was found on his person by stabbing with sharp weapon and the said injury is simple in nature.

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 Chief Judicial Magistrate, Banka in connection with Shambhugunj P.S. Case No. 89 of 2018, subject to the conditions as laid down



under Section 438 (2) Cr.P.C. and with 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 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.

(iv) That the petitioner shall cooperate 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.

(Vikash Jain, J)

BT/Chandran

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