

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67101 of 2019**

Arising Out of PS. Case No.-520 Year-2018 Thana- KHAIRA District- Jamui
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CHHABU YADAV S/o Churan Yadav @ Puran Yadav Resident of Village-
Chhatikehlar, P.S.- Laxmipur, District- Jamui.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Niranjan Parihar, Advocate.

For the Opposite Party: Mr. Syed Mojibur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 04-12-2019

Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 19.02.2019 in
connection with Khaira P.S. Case No. 520 of 2018 for the offences
alleged under Sections 395, 412 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely
implicated on mere suspicion, except which there is no objective
material to connect him with the alleged occurrence. The
petitioner is not named in the F.I.R. His name has transpired only
on the confessional statement of co-accused Tasubbur Ansari @
Tasabbar Ansari and Mukesh Kumar, both of whom have since
been granted bail by a coordinate Bench of this Court in Cr. Miisc.
No. 42515 of 2019 and Cr. Misc. No. 37064 of 2019 respectively.
The petitioner has not been put on test identification parade for
identification. No recovery of any incriminating articles has been
made from the conscious possession of the petitioner. The
petitioner is accused in one prior case of different nature in
which he is on bail.

4. Be that as it may, let the petitioner above named 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, Jamui, in connection with Khaira P.S. Case No. 520 of 2018, on the following 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 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.

(iv) 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.

(Vikash Jain, J)

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