

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63903 of 2018

Arising Out of PS. Case No.-34 Year-2018 Thana- HASANPUR District- Samastipur

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Amit Yadav @ Amit Kumar Yadav, S/o Indradev Yadav, Resident of Village-
Mauji, P.S.- Hasanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vasudeo Ram,Adv
For the Opposite Party/s : Mr.Amit Kumar Rakesh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 09-01-2019 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, 323, 504, 307/34 IPC and Section 27 of the Arms Act registered in connection with Hasanpur P.S. Case No. 34/2018.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of land dispute between the parties. The accusation of assault by firing is not supported by the injury report which discloses that all injuries are simple in nature caused by hard blunt substance. There is case and counter case between the parties. The petitioner has been made accused in two other cases at the instance of the informant's family.

4. Be that as it may, having regard to the entirety of the facts and circumstances, 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 ACJM III, Rosera, Samastipur, in connection with Hasanpur P.S. Case No. 34/2018, 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) 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.

Chandran/-

(Vikash Jain, J)

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