

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78549 of 2018

Arising Out of PS. Case No.-33 Year-2017 Thana- KHAJALI District- Madhubani

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Ram Pravesh Yadav, son of Ram Chalitar Yadav, Village – Thikaha, P.S. Raj Nagar, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Gagan Deo Yadav
For the Opposite Party/s : Mr.Sri Prem Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 27-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Khajauli P.S. Case No. 33 of 2017** registered for the offence punishable under Sections 393, 384 and 386 of the Indian Penal Code and under Section 27 of the Arms Act.

Informant has alleged that three miscreants riding on motorcycle came at his petrol pump after concealing their face and made firing in the petrol pump causing damage to window glasses. The miscreants identified themselves as Ranjit Mahto and Balaji Mishra and threaten them that they should pay ransom, subsequently the name of the petitioner was added on the basis of identification by police that motorcycle was being driven by petitioner.



It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case by police and there is no allegation of any overt act committed by him. It has been further submitted that the prime accused Bala Mishra has already been granted bail by the court below as most of the witnesses did not identify him. The other co-accused Ranjit Mahto @ Ranjit Don has been killed in police encounter. He is in custody since 06.01.2018.

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 **A.C.J.M.-III, Madhubani**, in connection with **Khajauli P.S. Case No. 33 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)

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