

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9011 of 2022

Arising Out of PS. Case No.-10 Year-2011 Thana- CHUTIA SAHAYAK District- Rohtas

Binod Yadav Son of Hira Yadav Resident of Village - Matiyav , P.s.- Chutiya,
Distt.- Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deovind Kumar Singh, Advocate
For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 20-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from today.

The petitioner seeks bail in connection with a case registered for the offence punishable under Sections 147, 148, 149, 379, 120(B) and 436 of the Indian Penal Code, Section 27 of the Arms Act and ³/₄ Explosive Substance Act and Section 17 of the CLA Act.

The prosecution case, in short, is that the petitioner and others set the house of the informant, Gangeshwar Prasad Singh, on fire after looting house hold articles, cash etc. from there.

Learned counsel for the petitioner submits that the petitioner is innocent, committed no offence and he has been



made accused due to village politics. Till date, no Test Identification Parade (T.I.P) has been conducted. It is further submitted that similarly situated co-accused persons have been granted bail by a Co-ordinate Bench of this Court. The petitioner is in custody since 19.12.2012 and charge-sheet has been submitted in the case.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/Successor Court in connection with Chutiya P.S. Case No. 10 of 2011(Sessions Trial No. 494 of 2015), subject to the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

(3) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(4) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(5) The petitioner shall appear before the Police Station of his local area in the first week of each month till the disposal of the present case.

(Khatim Reza, J)

Gaurav Kumar/-

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