

IN THE HIGH COURT OF JUDICATURE AT PATNA  
Cr.Misc. No.23064 of 2011  
Dasrath Yadav, son of Late Pryag Yadav  
Versus  
The State Of Bihar

2. 29.7.2011

Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in a case instituted for the offence under Sections 147, 148, 149, 353, 307 of the Indian Penal Code, Sections ¾ of the Explosive Substance Act, Section 17 of C.L.A. Act and Sections 16, 18, 19 and 20 of the Unlawful Activities of Prevention Act.

Considering that the petitioner is not named in the First Information Report and subsequently he was arrested on suspicion, thereafter, he gave a confessional statement and there is only one other case pending against him, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 5,000/- (Five thousand) with two sureties of the like amount each or any other surety to be fixed by the court concerned to the satisfaction of Sub Divisional Judicial Magistrate, Sherghaty, Distt. Gaya, in connection with Barachatty P.S. Case No. 238 of 2010 subject to the following conditions: (i) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner and the other shall be the cousin of the petitioner namely Manoj Yadav. The bailor will

undertake to furnish information to the court about any change in the address of the petitioner (ii)That the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is implicated 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 the ground of misuse (iii)That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse. (iv)That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

The fact that the petitioner is an accused in only one other case will be verified by the Magistrate before releasing him on bail.

( Anjana Prakash, J.)

**S.Ali**