

**IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 18319 of 2015**

Arising out of P.S. Case No. -421 Year- 2014 Thana -
SAHARSA District- SAHARSA

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Birbal Yadav S/o Late Nenilal Yadav resident of Village -
Baijnathpatti, Tolw - Baluaha, P.S. - Saharsa, District -
Saharsa. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s: Mr. Rajeev Nayan (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 29.07.2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner seeks bail in a case instituted for
the offences under Section 366(A)/34 and 302 of the
Indian Penal Code.

The Petitioner was allowed bail by order dated
03.03.2015 but on condition that an affidavit would be
filed on his behalf that he has fair antecedents. Since
there was one other case pending against the Petitioner
such an affidavit could not be filed and, hence, he
remained in custody.

In view of such, 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 as fixed by the Court to the
satisfaction of Additional Sessions Judge-II, Saharsa in
connection with S.Tr. No. 113 of 2015 arising out of



Saharsa P.S. Case No. 421 of 2014 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 er. The bailor will also undertake to inform the Court if there is 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 Petitioner is directed to deposit Rs. 250/- (Two Hundred Fifty) in the District Legal Aid Committee, Saharsa before he is released on bail.

(Anjana Prakash, J.)

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