

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14013 of 2015

Arising Out of PS.Case No. -236 Year- 2014 Thana -SIMRI BAKHTIARPUR District- SAHARSA

1. Aklu Yadav Son of Late Achhelal Yadav
2. Bipin Yadav Son of Aklu Yadav, Both resident of village - Bhatpura,
Police Station - Bakhiyarpur, District - Saharsa

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh, Advocate

For the Opposite Party/s : Mr. Vinod Shankar Modi, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

3 26-05-2015 By order dated 23.4.2015, the prayer for anticipatory bail
of Petitioner No.1 has been dismissed as withdrawn.

Heard learned counsel for the petitioner No.2 and the
State.

The petitioner No.2 is apprehending his arrest in a case
registered under Section 302/34 of the Indian Penal Code.

Considering that the Petitioner No.2 is the cousin
brother-in-law of the deceased and there is no direct material
against him and he has fair antecedents, let the petitioner above
named be released on anticipatory bail in the event of arrest or
surrender before the learned court below within a period of four
weeks from the date of receipt of this order in connection with
Bakhtiarpur P.S. case No.236 of 2014 on furnishing bail bonds of
Rs.5,000/- (five thousand) with two sureties of the like amount
each to the satisfaction of C.J.M., Saharsa, subject to the

conditions as laid down under Section 438(2) of the Code of Criminal Procedure as also conditions (i) That one of the bailor will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will undertake to furnish information to the Court about any change in address of the petitioner. (ii) That the affidavit shall clearly state that the petitioner is not an accused in any other case and if he is he shall not be released on bail, (iii) 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 ground of misuse, (iv) 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, (v) That the petitioner will be well represented on each date if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Anjana Prakash, J)

Narendra/-

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