

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18547 of 2015

Arising Out of PS.Case No. -92 Year- 2014 Thana -PURAINI District- MADHEPURA

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Pankaj Yadav Son of Naresh Yadav resident of Village: Pakilpar, P.S.
Bihariganj, District: Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh, Adv

For the Opposite Party/s : Mr. A.Dayal (APP)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 01-09-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for the offences punishable under Sections-399, 402 and 414 of the Indian Penal Code and that there is nothing against the petitioner except confession of the co-accused and in fact such confession has not lead to any recovery or any other material which can directly implicate the petitioner, this Court taking into account that out of two other cases pending against the petitioner one is only an aftermath of the present case, would be inclined to grant the privilege of



anticipatory bail to the petitioner, by making it clear that if now the petitioner is made accused in a case of similar nature, probably, he will not be getting the same privilege by way of grant of anticipatory bail.

Subject to the aforementioned conditions, if the petitioner namely, **Pankaj Yadav**, surrenders within a period of four weeks from today, he would be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of **Judicial Magistrate, 1st Class, Udakishunganj, District Madhepura** in connection with **Puraini P.S. Case No. 92 of 2014 corresponding to G.R. No. 48 of 2014**, subject to the conditions laid down under Section- 438 (2) Cr. P.C and also subject to the following conditions:-

(i) That both the bailors will be close relative of the petitioner who will give an affidavit giving genealogy as to how they are related with the petitioner. The bailors 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 they 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 the 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 and every date of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

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