

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41805 of 2014

Arising Out of PS.Case No. -4 Year- 2014 Thana -KUSHESHWARSTHAN District-
DARBHANGA

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1. Manoj Yadav Son of Late Satto Yadav
2. Indra Kumar Yadav Son of Late Jagarnath Yadav Both Resident of
Village- Nawabakhar, P.S.- Kishanpur, District - Supaul
..... Petitioners

Versus

The State of Bihar

..... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Suraj Narain Yadav

For the Opposite Party/s : Mr. Jagdhar Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA

ORAL ORDER

3 21-01-2015 Heard learned counsel for the parties.

Having regard to the fact that the petitioners are facing prosecution for offence under sections 394 and 411 of the Indian Penal Code and that the alleged recovery of stolen motorcycle from them does not seem to be correct in view of the sale certificate dated 15.11.2013 produced by the petitioners showing it to be in the name of Sanjay Kumar Yadav, nephew of petitioner no.1, this Court is inclined to grant regular bail to both the petitioners keeping in view that they have also remained in custody for nearly six months.

That being so, let the petitioners, Manoj Yadav and Indra Kumar Yadav, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the S.D.J.M., Birual, in K.Asthan P.S.Case No. 4/2014 (Kusheshwar Asthan P.S.Case No.

4/2014), subject to the following conditions:

(i) That both the bailors will be a 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 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 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.

surendra/-

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(Mihir Kumar Jha, J)

