

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 3750 of 2015

Arising out of P.S. Case No. -198 Year- 2014 Thana -ROHTAS
District- SASARAM (ROHTAS)

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Birendra Yadav Son of Kamal Yadav Resident of Vill-Nagatoli,
P.S-Rohtas, Distt.-Rohtas.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Pandey (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

02. 29.01.2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner seeks bail in a case instituted for
the offences under Sections 384, 385 and 386 of the
Indian Penal Code and Section 17 C.L.A. Act.

Considering that there is no allegation where the
present First Information Report is concerned and the
Petitioner's brother, Rabindra Yadav undertakes his
responsibility, 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 concerned Judicial Magistrate, 1st Class, Dihri-on-sone,
Rohtas at Sasaram in connection with Rohtas P.S. Case
No. 198 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 and the other bailor shall be the brother of the Petitioner namely Rabindra Yadav. 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.

In view of the antecedents of the Petitioner, the Petitioner is directed to appear before the Superintendent of Police, Rohtas at Sasaram within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the Petitioner will be kept under watch in this period by the

superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the Petitioner before the court concerned.



(Anjana Prakash, J.)

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