

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51176 of 2014

Arising Out of PS.Case No. -90 Year- 2014 Thana -KATHAIYA District- MUZAFFARPUR

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1. Umesh Yadav Son of Jageshwar Yadav
2. Adhik Yadav son of Umesh Yadav, Both resident of village-
Makdumpur, P.S.- Makdumpur, District- Sheikhpura

.... PetitionerS

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha
For the Opposite Party/s : Mr. Yogendra Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 19-05-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under sections 379 and 420 of the Indian Penal Code and that the two petitioners being father and son have been sought to be implicated on the basis of a complaint case filed on 17.7.2014 with regard to an occurrence of 15.3.2013, this Court keeping in view that the petitioners also have got no criminal antecedent would direct that if the two petitioners, namely, Umesh Yadav and Adhik Yadav, surrender before the court below within a period of four weeks from today, they shall 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 Judicial Magistrate, 1st Class, Muzaffarpur in Kothaiya P.S.Case No. 90/2014, subject to the following conditions:

(i) That both the bailors will be a close relative of

the petitioners who will give an affidavit giving genealogy as to how they are related with the petitioners. The bailors will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioners are implicated in any other case of similar nature after their 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 petitioners will give an undertaking that they will receive the police papers on the given date and be present on the date fixed for charge and if they fail to do so on two given dates and delay the trial in any manner, their bail will be liable to be cancelled for reasons of misuse.

(iv) That the petitioners will be well represented on each and every date of trial and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

surendra/-

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