

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24117 of 2016

Arising Out of PS.Case No. -42 Year- 2016 Thana -KALYANPUR District-
EASTCHAMPARAN(MOTIHARI)

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Subodh Kumar Yadav, S/o- Baleshwar Yadav, R/o- Bakhari, Bairangi Tola,
P.S.- Kalyanpur, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh
Mr. Anil Kr. Sinha

For the Opposite Party/s : Mr. Uma Nath Mishra, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 01-06-2016

Heard.

The petitioner seeks bail in a criminal prosecution registered under Sections 457, 380, 414 and 34 of the Indian Penal Code.

Though the petitioner is named in the F.I.R. vide Annexure-1, as an accused, but taking into consideration the period of incarceration already undergone by the petitioner since 15.02.2016 and further taking into consideration the fact that he is said to be the first offender, let the above named petitioner be released on bail on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-9, East Champaran at Motihari in connection with Kalyanpur P.S. Case No. 42 of 2016 subject to conditions that:

- (A) One of the bailors must be government servant or close family members of the petitioner, who will file an affidavit in the court below showing his/her relationship with the petitioner,

- (B) if the petitioner is found involved in same and similar nature of cases in future, then in that case the informant/ prosecution shall be at liberty to file a petition for cancellation of the bail-bond of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned and
- (C) the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every dates, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Birendra Prasad Verma, J)

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