

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22465 of 2017

Arising Out of PS.Case No. -274 Year- 2016 Thana -MADHEPURA District- MADHEPURA

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1. Bandhan Kumar Yadav @ Ranjan Kumar Son of Sri Janardan Yadav@
Janardan Prasad Yadav, Resident of Village- Itahara, P.S.- Sour Bazar,
District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh

For the Opposite Party/s : Mr. Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-05-2017 Heard the parties.

The petitioner seeks regular bail in connection with
Madhepura P.S.Case No.274 of 2016 registered for offences
punishable under Section 392 of the Indian Penal Code.

The petitioner is not named in the F.I.R. and his name
transpired during the course of investigation of this case.

It is submitted on behalf of the petitioner that he has been
falsely implicated in this case on the basis of confessional
statement of the co-accused and on the basis of the same, he is
made accused in two other cases also and except those two cases,
he has no criminal antecedent and remained in custody for more
than 5 ½ months.

Heard learned A.P.P. also, who has opposed the prayer for
bail.



Having heard both sides and in view of the facts and circumstances, as stated above, and also in view of the fact that nothing has come against the petitioner except the confessional statement of the co-accused, as such, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of C.J.M. at Madhepura in connection with Madhepura P.S.Case No.274 of 2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be close relative having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.
- (iv) In future, if the petitioner is found active in any case, his bail bond shall be liable to be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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