

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45368 of 2017

Arising Out of PS.Case No. -330 Year- 2017 Thana -MADHEPURA District- MADHEPURA

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Balram Yadav @ Balram Prasad Yadav, Son of Late Swarup Lal Yadav,
Resident of Village Chakla Sripur, P.S. Madhepura, District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyam Bihari Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

2 20-09-2017

Heard learned counsel for the petitioner and learned

APP for the State.

This is a case registered under Sections
447,448,341,323,324,307,379,385/34 of the Indian Penal Code.

Counsel for the petitioner submits that prior to the
instant case on 13.01.2017 he has lodged an FIR bearing
Madhepura P.S. Case No. 35 of 2017 against the family members
of the informant. He further submits that there is some land
dispute between the parties. He is 73 years old retired teacher and
has falsely been implicated in this case on extraneous
consideration. He is in custody since 6.07.2017. He also submits
that though he is accused in two other cases which have been
disclosed in para 3 of the application but he is on bail.

Considering the aforesaid facts and circumstances of



the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Madhepura in Madhepura P.S. Case No. 330 of 2017 subject to the 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. 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.

(Madhuresh Prasad, J)

Prakash/-

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