

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 45399 of 2017

Arising Out of PS.Case No. -157 Year- 2017 Thana -DHAMDHAHA District- PURNIA

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Gajendra Yadav, Son of Late Gobind Yadav, Resident of Village-
Dirabishanpur, P.S.- Dhamdaha, District- Purnia.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Sada Nand Roy, Advocate

For the S t a t e : Mr Parmanand Prasad, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 21-09-2017

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks bail in a case registered under
Sections 147, 148, 149, 323, 341, 387, 307/34 of Indian Penal
Code.

It is submitted by the counsel for the petitioner that
the informant and the accused are agnates and due to subsisting
land dispute, the petitioner has been arrayed in this case as a
member of the mob. It is further submitted that as per the first
information report, no overt act has been alleged against the
petitioner and the specific allegation is attributed against other
accused person. Prior to the instant case, there is no criminal
antecedent of the petitioner.

Considering the aforesaid submissions, prayer for



bail 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, Purnia in Dhamdaha Police Station Case No 157 of 2017 dated 12.07.2017 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. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.*
- (ii) *That the affidavit shall clearly state that the petitioner is not an accused in any other case and if he is, he shall not be released on bail.*
- (iii) *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.*
- (iv) *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.*
- (v) *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)

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