

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21014 of 2017

Arising Out of PS.Case No. -2 Year- 2015 Thana -BHEJA District- MADHUBANI

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1. Bikau Yadav, S/o Sunar Yadav, Resident of Village- Mahesatole,
Baluaaha, P.S.- Bheja, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. Sri Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 01-07-2017 Heard the Counsel for the petitioner and Mr. Dayal, APP
for the State.

Apprehending his arrest in Bheja P.S. Case No. 02 of
2015 registered under sections 419, 420, 467, 468, 471, 120B,
379, 342, 323 and 386 of the Indian Penal Code, the petitioner has
sought for anticipatory bail.

In substance, the allegation is that a sale deed was
brought into existence in the name of brother of the informant in
which the petitioner and one Kali Kant Yadav became witness.
The allegation of the informant is that his brother was traceless
and the sale document was fake. The sale was made in the name of
another sister of the informant.

Counsel for the petitioner states that it is entirely a civil
dispute. He further submits that other co-accused of the case
including Kali Kant Yadav has been privilege of anticipatory bail
vide order dated 01.02.2016 passed in Cr. Misc. No. 58177 of



2015. A web copy of the order has been handed in which has been taken on record marked 'X' for identification.

Considering the facts and circumstances of the case, in the event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M., Jhanjharpur, District-Madhubani in Bheja P.S. Case No. 02 of 2015 (G.R. No. 37 of 2015) subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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