

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58272 of 2017

Arising Out of PS.Case No. -119 Year- 2017 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Nawal Yadav @ Nawal Kishore Yadav, son of Rajmangal Yadav @
Raj Mangal Rai, resident of Village- Gonahi, P.S.- Patahi, District- East
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2/ 19-12-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Patahi P.S. Case No.119 of 2017** instituted for the offence under Section(s) 341, 323, 332, 353, 354-B, 427, 504, 506/34 Indian Penal Code.

Counsel for the petitioner has submitted that this petitioner is Dewar of Nitu Kumari. It has further been submitted that from Annexure-2 series, it will appear that Nitu Kumari had higher marks than Manju Kumari, who was selected as *Sewika* by *Aam Sabha*. Instant false case has been filed against this petitioner only to discourage the petitioner from taking necessary action against Manju Kumari, who was selected having less mark than Nitu Kumari.



In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Patahi P.S. Case No.119 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of `10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **8th Additional Chief Judicial Magistrate, Motihari, East Champaran**, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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