

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52518 of 2016

Arising Out of PS.Case No. -53 Year- 2016 Thana -ARIYARI District- SEKHPURA

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Muvneshwar Yadav @ Bhuneshwar Yadav, S/o Late Rajo Yadav,
Resident of village - Kariho, P.S. Sheikhpura, District - Sheikhpura
..... Petitioner

Versus

The State of Bihar

..... Opposite Party

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Appearance :

For the Petitioner : Mr. Satish Kumar, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 06-02-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 20.07.2016 in connection with Ariari P.S. Case No. 53 of 2016 for the offences alleged under Sections 341, 323, 420, 504, 467 and 120(B)/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated in a criminal case relating to a transaction essentially of civil nature. The land bearing Khasra No. 236 was sold by the petitioner to the informant, the latter being in possession has been enjoying the property for about 5 years since the transaction of sale. The error in mentioning the Khasra number as 237 in place of the correct Khasra No. 236 was wholly bonafide which the petitioner is prepared to rectify.

4. Despite valid service of notice on opposite party no. 2, none has entered appearance on his behalf.

5. Having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of like amount each to the satisfaction



of learned Sub-Divisional Judicial Magistrate, Sheikhpura, in connection with Ariari P.S. Case No. 53 of 2016, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

Md. Ibrarul/BT

(Vikash Jain, J)

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