

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16856 of 2017

Arising Out of PS.Case No. -109 Year- 2016 Thana -PURAINI District- MADHEPURA

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Bibhash Yadav, Son of Dinesh Yadav, Resident of Village- Sapardah, P.S.-
Puraini, District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh

For the Opposite Party/s : Mr. Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-04-2017 Heard the parties.

The petitioner is apprehending his arrest in connection with
Puraini P.S.Case No.109 of 2016, registered for offences
punishable under Sections 341, 323, 504, 506, 354 and 379 of the
Indian Penal Code.

As per the allegation in the F.I.R., it is alleged that the
petitioner tried to misbehave with the informant and put a Pistol
on her ear but that Pistol fell down and further allegation is that he
has snatched one ear-ring and chain from her.

It is submitted on behalf of the petitioner that there is
dispute between the parties as they are neighbour and in this case
during the course of investigation, the materials have come
showing that due to land dispute, the petitioner has falsely been
implicated in this case and the falsity will appear from the fact that
the only a vague allegation has been made that the petitioner has



misbehaved with her and further stated that the Pistol fell down and thereafter an ornamental allegation of snatching of chain has been made against him.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Sri Pradeep Kumar Chaudhary, J.M.-1st class, Udakishunganj, District- Madhepura in connection with Puraini P.S.Case No.109 of 2016 corresponding to G.R.No.1987 of 2016, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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