

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44616 of 2017

Arising Out of PS.Case No. -41 Year- 2017 Thana -JHAJHA District- JAMUI

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Upendra Yadav, son of Late Ganesh Yadav, resident of Village Mahapur,
P.S. Jhajha, District - Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 13-10-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Jhajha P.S.

Case No. 41 of 2017 instituted for the offence under Sections 302,
120(B) and 34 of the Indian Penal Code.

It has been submitted that there is no any specific
overt act against the petitioner in the written report. The only
allegation against the petitioner is that he told that the brother of
the informant is still alive and, thereafter, Ghutar Yadav caused
murder of brother of the informant. There is allegation against
Triloki Yadav of causing cut injury on the neck and face of
brother of the informant with sword.

Considering the facts and circumstances of the case,
prayer for anticipatory bail of the petitioner is allowed. In the



event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Jhajha P.S. Case No. 41 of 2017, he shall 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 learned Sub Divisional Judicial Magistrate, Jamui, 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.

S.Ali/-

(Sanjay Priya, J)

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