

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 45345 of 2017

Arising Out of PS.Case No. -440 Year- 2017 Thana -HILSA District- NALANDA
(BIHARSHARIFF)

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Sahendra Yadav, Son of Bocha Yadav, Resident of Village- Bhawani
Bigha, P.S.- Chiksaura, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Pramod Mishra, Advocate

For the State : Smt Rita Verma, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 21-09-2017

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks bail in a case registered under
Sections 395, 412 of Indian Penal Code.

The allegation is with respect to dacoity in the night.
One of the apprehended persons, in his statement before the
police, has named the petitioner. As such, he has been dragged in
the instant case. Counsel for the petitioner submits that till date,
he has not been put on test identification parade and whatever
articles were recovered from the house of the petitioner, has not
been claimed by the informant. Petitioner is in custody since
17.07.2017 and prior to the instant case, there is no criminal
antecedent of the petitioner.

Considering the aforesaid submissions, prayer for



bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate II, Hilsa, Nalanda in Hilsa Police Station Case No 440 of 2017 subject to the following conditions:

- (i) *That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.*
- (ii) *That the affidavit shall clearly state that the petitioner is not an accused in any other case and if he is, he shall not be released on bail.*
- (iii) *That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter, the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.*
- (iv) *That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.*
- (v) *That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.*

(Madhuresh Prasad, J)

M.E.H./-

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