

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22196 of 2018

Arising Out of PS.Case No. -175 Year- 2017 Thana -SHAMBHUGANJ District- BANKA

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Bishundeo Yadav @ Bishnudeo Yadav @ Bishnudeo Prasad Yadav son
of Late Baldeo Yadav, resident of Village- Manjhgay, P.S.- Shambhuganj,
District- Banka.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Praveen Kumar, Advocate

For the Opposite Party: Mr. Jitendra Kr. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 26-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 07.01.2018 in
connection with Shambhuganj P.S. Case No. 175 of 2017 for the
offences alleged under Sections 420, 467, 468, 471, 385, 506 and
120B of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely
implicated in a dispute which is clearly of civil nature and in
respect of which two Title Suits bearing Title Suit No. 157 of 2017
and Title Suit No. 172 of 2017 against the informant and her
daughter for specific performance of contract have been filed. The
question whether or not the agreement of sale is a forged document
would be tested in the title suit. Similarly situated co-accused
persons, namely, Bharat Lal Singh, Prakash Singh, Ritesh Singh and
Sanjay Yadav have been granted anticipatory bail by the coordinate
Bench of this Court in Cr. Misc. No. 14384 of 2018. The petitioner
has three criminal antecedents involving of different nature.

4. Be that as it may, 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, Banka in connection with Shambhuganj P.S. Case No. 175 of 2017, 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.

B.T/Chandran

(Vikash Jain, J)

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