

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52820 of 2017

Arising Out of PS.Case No. -47 Year- 2017 Thana -MAHILA P.S. District- NALANDA
(BIHARSHARIFF)

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Birmani Yadav @ Birmani Lal son of Rajendra Yadav, resident of village
Sattakhari, P.O. Chabilapur, P.S. Chabilapur, District- Nalanda

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Madhuri Kumari, Advocate.

For the Opposite Party : Mr. Navin Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 29-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Mahila P.S.

Case No.47 of 2017 instituted for the offence under sections
354(B), 379, 323, 504, 506 and 34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that informant and one of co-accused namely Shankar are own cousins. The instant case has been levelled due to land dispute between the parties. The petitioner and his brother have purchased the land from the daughter of own deceased brother-in-law of the informant. The informant wanted to take the said land but Jaidhi of informant sold the said land to the family of petitioner. From the written report itself, it appears that there is general and omnibus allegation against the petitioner.

Considering the facts and circumstances of the case, let



the petitioner above named in the event of surrender within six weeks from the date of receipt of this order, in connection with, Mahila P.S. Case No.47 of 2017 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, Biharsharif, Nalanda, 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 co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond 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.

(Sanjay Priya, J)

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