

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37137 of 2018

Arising Out of PS. Case No.-21 Year-2018 Thana- KHUTAUNA District- Madhubani

KAMESHWAR YADAV @ KAMESHWAR PRASAD YADAV S/o Gulab
Yadav , R/o Vill.- Kusmar , P.S.- Khutauna, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kr. Bharti, Advocate
For the Opposite Party/s : Mr. Sri Satyavarat Verma

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 03-07-2018 Heard learned counsel for the petitioner , learned counsel for
the informant and learned APP for the State.

Petitioner apprehends his arrest in Khutauna P.S. case no. 21
of 2018 instituted for the offence under Section(s) 384 and 506/34
of the Indian Penal Code.

In the written report it is alleged that after completing all the
procedure the Hindustan Petroleum Corporation Ltd. allowed retail
outlet in the name of informant. The Informant got no objection
certificate with respect to the land as mentioned in the written report
to open the retail outlet of the Hindustan Petroleum Corporation Ltd.
The petitioner raised objection and also made a demand of Rs. 45
lacs.

It is submitted that aforesaid land belongs to the petitioner for
which the petitioner has filed Title Suit No. 51 of 2018 before
learned Sub-Judge-I, Jhanjharpur in which the informant has also



been made a party.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Khutauna P.S. case no. 21 of 2018, corresponding to G.R. No. 179 of 2018, 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 the ACJM, Jhanjharpur, Madhubani, 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.

(Sanjay Priya, J)

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