

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44377 of 2018

Arising Out of PS.Case No. -35 Year- 2018 Thana -MADHEPUR District- MADHUBANI

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1. Tula Nand Yadav S/o late Bhagwat Yadav, R/o Parsa, P.S.- Ghoghardiha,
District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav

For the Opposite Party/s : Mr. Sri Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-09-2018 Heard the parties.

The petitioner seeks regular bail in connection with Madhepur P.S.Case NO.35 of 2018 corresponding to G.R.No.409 of 2018 registered for offences punishable under Sections 395, 397 of the Indian Penal Code and Section 27 of the Arms Act. .

Petitioner is not named in the FIR and later on his name surfaced on the basis of confessional statement and the allegation is about recovery of one motorcycle from his house.

Submission of the learned counsel for the petitioner is that except confessional statement, there is nothing against him and the motorcycle belongs to his son and not of the petitioner and he has been falsely implicated in this case. He has no criminal antecedent and he is in custody since 14.4.2018



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of ACJM II, Jhanjharpur, District Madhubani in connection with Madhepur P.S.Case no.35 of 2018 corresponding to G.R.No.409 of 2018.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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