

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2995 of 2019

Arising Out of PS. Case No.-154 Year-2018 Thana- SALAKHUA District- Saharsa

Pintu Yadav, S/o Vilat Yadav @ Siya Ram Yadav, R/O Village- Uteshra, P.S.
Salkhua, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 28-02-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is in custody since 25.07.2018 in connection with Salkhua P.S. Case No.154 of 2018 registered for the offence under Sections 302, 201 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has been named in the FIR only because of the fact that the petitioner had borrowed some money from the accused, which was allegedly not being returned by him. It is further submitted that the accused was himself a man of doubtful character as he had been recently beaten up by many of the co-villagers for having indulged in illegal relationship with the wife of one Abbu Poddar. It is further submitted that



the villagers had together been a part of the group which was trying to take necessary action against the petitioner-accused for having entertained any relationship with any married woman. Learned counsel for the petitioner submits that it is only on the basis of conjectures and surmises that the petitioner is being prosecuted in connection with the present case. It is further submitted that the petitioner has been in jail for more than six months and, therefore, he may be extended the privilege of bail.

Having heard learned counsel for the petitioner and in view of the fact that there is no further cogent material in the diary to substantiate the allegation as has been made out and, admittedly, there is no eye-witness to the occurrence, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Saharsa, in connection with Salkhua P.S. Case No.154 of 2018, subject to the following conditions:

- (1) Father will be the bailor of the petitioner.
- (2) The petitioner shall not indulge



himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate 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.

(Anjana Mishra, J)

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