

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6264 of 2019

Arising Out of PS. Case No.-512 Year-2018 Thana- SAUR BAZAR District- Saharsa

Anil Yadav, age about 34 years (Male) S/o Shri Bindeshwari Yadav, resident of village Tiri, P.S . Saur Bazar, District Saharsa

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Mukesh Kumar, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 08-02-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 341, 323, 324, 307, 379, 504, 506 and 34 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Saur Bazaar P.S. Case No. 512 of 2018. Subsequently, Section 302 of the IPC has been added.

3. It is submitted that the petitioner has been falsely implicated as the accusation on the face of it is highly improbable and that the petitioner is said to have assaulted the informant on 07.09.2018 but it is only after assault on the informant's father is alleged to have been made on the next day when the first information report has been instituted. There is no specific accusation of assault on the deceased, (father of the informant) by this petitioner but the father of the informant is alleged to have been assaulted by co-accused Shankar Yadav and Amar Yadav. The accusation of theft is mere embellishment. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of



communication of this order, let the above named petitioner 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 Chief Judicial Magistrate, Saharsa in connection with Saur Bazaar P.S. Case No. 512 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with further 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) That 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.

BT/Chandran

(Vikash Jain, J)

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