

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12574 of 2019**

Arising Out of PS. Case No.-263 Year-2000 Thana- BIDUPUR District- Vaishali

MUNIYA YADAV @ MUNILAL RAY, aged 44 years, Male s/o Shyam Das  
Yadav @ Shyamdas Ray, Resident of village-Malikpur, P.S.Raghopur,  
District-Vaishali ... Petitione

Versus

The State of Bihar ... Opposite Party

**Appearance :**

For the Petitioner : Mr. Sunil Prasad Yadav, Adv.  
For the Opposite Party : Mr. Md. Nazir Ansari, APP

**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      01-03-2019                      Heard the learned counsel for the petitioner and the  
learned counsel appearing for the State.

The petitioner is languishing in judicial custody since  
15.10.2018 in connection with S. Tr. No. 551 of 2018 arising out  
of Bidupur P.S. Case No. 263 of 2000 for the offences alleged  
under Sections 395 and 397 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is  
that while he was sleeping in his house, one person asked him to  
open the door. When he opened the door the said person fired  
on him, which hit him on his thigh, thereafter, 8 to 10 criminals  
entered into the house, took away Rs.30,500/- cash and some  
clothes.

It has been submitted by the learned counsel for the  
petitioner that he is innocent and has been remanded from  
Bidupur P.S. Case No. 255 of 2000. He submits that the first



information report is against unknown and petitioner was not aware that the present case is pending against him, as soon as he came to know, he filed a petition for his remand in the present case. He, further, submits that a compromise has been entered between the informant and the petitioner and filed before the Court of the Additional Chief Judicial Magistrate, XII, Vaishali at Hajipur, which is annexed as Annexure 3 to the present application. He, further, undertakes to cooperate in the trial on day-to-day basis.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with S. Tr. No. 551 of 2018 arising out of Bidupur P.S. Case No. 263 of 2000 to the satisfaction of the learned Fast Track Court, Vaishali at Hajipur, subject to the following conditions :

(i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.



(ii) Petitioner will appear before the learned Court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(iii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned Court below for cancellation of his bail bonds.

**(Nilu Agrawal, J)**

Shamshad/-

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