

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10101 of 2019

Arising Out of PS. Case No.-69 Year-2018 Thana- BANDHUWA KURAWA District- Banka

SUKO @ NANDLAL YADAV @ NAND LAL @ TEZ NARAYAN YADAV
Son of Late Gangadhar Yadav Resident of Village-Gokula Bazar, Tola Jogiya,
P.S.-Bandhuwa Kurawa, Distt - Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 20-02-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 452, 354(b), 504, 506/34 IPC registered in connection with Bandhuwa Kurawa P.S. Case No. 69/2018, G.R. No. 2891/2018.

3. It is submitted that the petitioner has been falsely implicated and the ingredients of the offences alleged are not made out against him. The thrust of accusation is against co-accused Aman Yadav and as a matter of fact there is love affair between co-accused Aman Yadav and the informant's daughter. There is delay of about four days in filing the FIR on 22.08.2018 for the alleged occurrence of 18.08.2018. 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 ACJM III, Banka in connection with Bandhuwa Kurawa P.S. Case No. 69/2018, G.R. No. 2891/2018 , subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following 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 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.
- iv. 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.

(Vikash Jain, J)

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