

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66948 of 2018

Arising Out of PS. Case No.-11 Year-2018 Thana- DHARHARA
District- Munger

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BHAVESH KUMAR YADAV @ ABHISHEK KUMAR S/o Late Awadhesh
Kishore Prasad Yadav R/o Village-Maharma,P.S. Dharhara,Distt.-
Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad,Adv

For the Opposite Party/s : Mr.Ashok Kumar Singh,APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 04-01-2019 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, 353, 504, 506/34 IPC registered in connection with Dharhara P.S Case No.11 of 2018.

3. It is submitted that the petitioner has been falsely implicated and the petitioner happens to be the son of the Mukhiya who had earlier filed a complaint on 04.08.2017 before the District Magistrate, Munger with a request not to transfer the informant as Panchayat Secretary in place of the then incumbent on grounds that his record was not satisfactory. The petitioner has been acquitted in the only other case in which he has made accused.

4. Having regard to the entirety of the facts and circumstances, as such, 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 A.C.J.M.I, Munger in connection with Dharhara P.S Case No.11 of 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)

Chandran/-

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