

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24302 of 2019**

Arising Out of PS. Case No.-19 Year-2018 Thana- DHIBRA District- Aurangabad

KUNDAN KUMAR YADAV @ KUNDAN YADAV Son of Lala Yadav
Resident of Village- Banvishunpur, P.S.- Dhibra, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajendra Singh
For the Opposite Party/s : Mr.Bharat Lal

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER**

2 19-04-2019 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, 427, 504/34 IPC registered in connection with Dhibra P.S. Case No. 19/2018.

3. It is submitted that the petitioner has been falsely implicated and two FIRs have been instituted for the same occurrence. Similarly situated co-accused Yogendra Yadav has been granted anticipatory bail by this Court in Cr. Misc. No. 24698/2019. Some of the accused persons of Dhibra P.S. Case No. 20 of 2018 have also been granted anticipatory bail by this Court in Criminal Appeal (SJ) No. 974 of 2019. Except the aforesaid Dhibra P.S. Case No. 20 of 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 CJM, Aurangabad, in connection with Dhibra P.S. Case No. 19 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)

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