

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23167 of 2019

Arising Out of PS. Case No.-13 Year-2013 Thana- BABUBARHI District- Madhubani

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NASIB LAL YADAV @ NASEEB LAL YADAV S/o Late Nirmal Yadav
Resident of Village- Basaha, P.S.- Babubarhi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mr.Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 12-04-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 147/149/341/323/324/307/325/354/312/504 IPC registered in connection with Babubarhi P.S. Case No. 13/2013.

3. It is submitted that the petitioner has been falsely implicated and the thrust of accusation of assault with farsa causing injury to Ram Bharos is on co-accused Yogendra Yadav, who has been granted anticipatory bail by this Court in Cr. Misc. No. 42798 of 2013. After due investigation, charge sheet has been submitted against other co-accused persons and the petitioner has not been sent up for trial. 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, Madhubani in connection with Babubarhi P.S. Case No. 13/2013, 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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