

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23302 of 2019

Arising Out of PS. Case No.-48 Year-2015 Thana- KHARIK District- Bhagalpur

Pintu Yadav, aged about 25 years, Gender-Male, Son of Sikandar Yadav,
Resident of Village-Dadpur, P.S-Kharik, District-Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ashok Kumar Yadav, Advocate
For the Opposite Party : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 15-04-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 365, 498 and 34 of the Indian Penal Code registered in connection with Kharik P.S. Case No. 48 of 2015.

3. It is submitted that the petitioner has been falsely implicated and the accusation on the face of it is highly improbable. There is inordinate delay in institution of the first information report on 22.03.2015 for the alleged occurrence of 19.03.2015. The informant himself has stated that it is a case of love affair between his wife and the petitioner for past three years and the accusation that the petitioner along with four other persons took his wife and younger son, lacks credence. 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 Sub-Divisional Judicial Magistrate, Naugachia, District Bhagalpur in connection with Kharik P.S. Case No. 48 of 2015, subject to the



conditions as laid down under Section 438 (2) of the Cr.P.C. and with 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 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.

(iv) That the petitioner shall cooperate 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.

BT/-

(Vikash Jain, J)

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