

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27893 of 2019**

Arising Out of PS. Case No.-61 Year-2018 Thana- JAYNAGAR District-
Madhubani

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BADRI YADAV @ BADRI NARAYAN YADAV, aged about 40 years, male, S/o
Yogendra Biraji R/o village- Belhi Kamla Bari East Tole, P.S.- Jainagar,
District- Madhubani

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Gagan Deo Yadav, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 29-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 384, 386, 323, 504/34 of the Indian Penal
Code registered in connection with Jai Nagar P.S. Case No. 61 of
2018.

3. It is submitted that the petitioner has been falsely
implicated in the backdrop of land dispute. The accusations are
highly improbable as it is alleged that the petitioner has been
demanding *rangdari* as far back as in the year 2014 but the
present F.I.R. has been instituted only in the year 2018. There is
nothing to indicate that any money has been paid to the
petitioner and as such the ingredients of the offence alleged
under Sections 384, 385 IPC are not made out. The petitioner
claim 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, Madhubani in connection with Jai Nagar P.S. Case No. 61 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 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.

(iv) 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.

(Vikash Jain, J)

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