

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.30146 of 2019**

Arising Out of PS. Case No.-45 Year-2018 Thana- BARABAR TOURIST  
District- Jehanabad

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SHAMBHU YADAV Son of Ram Sharan Yadav, Resident of village- Kanhaiya  
Bigha, P.S.- Barabar Paryatan (Vishunganj O.P.), District- Jehanabad.

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner : Mr. Umesh Kumar, Advocate.

For the Opposite Party: APP

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

ORAL ORDER

3      01-08-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner apprehends his arrest for the offences  
alleged under Section 395 of the Indian Penal Code registered in  
connection with Barabar Paryatan (Bishunganj O.P.) P.S. Case No.  
45 of 2018.

3. It is submitted that the petitioner has been falsely  
implicated and the accusations are general and omnibus in  
nature. No specific overt act whatsoever has been attributed to  
the petitioner. On the other hand, the daughter-in-law of the  
petitioner has also filed a Complaint Case No. 260 of 2018  
alleging highhandedness of the police who had come to the  
petitioner's house and assaulted her and other ladies with *dunda*  
causing injury and also broken her tractor which was standing in  
her *khalihan*. Similarly situated Mantu Yadav has been granted  
anticipatory bail by order dated 13.09.2018 by this Court in Cr.  
Misc. No. 48455 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 Sri Umesh Prasad, learned Judicial Magistrate Ist Class, Jehanabad in connection with Barabar Paryatan (Bishunganj O.P.) P.S. Case No. 45 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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