

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29657 of 2019

Arising Out of PS. Case No.-294 Year-2017 Thana- SAHARSA District- Saharsa

Umesh Yadav (F) aged about 45 years Son of Shiv Nandan Yadav Resident of
Village - Patuaha (Thuthi Tola), Ward No. 36, P.S. and District - Saharsa.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ashwani Kumar Tiwary, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 10-05-2019 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, 354, 307 and 504/34 of the Indian Penal Code and Section 3/4 of the Prevention of Witch Practices Act registered in connection with Saharsa P.S. Case No. 294 of 2017.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of land dispute and there is case and counter case between the parties. The accusations of assault against the petitioner are general and omnibus in nature. The injuries sustained by the injured person are simple in nature. Similarly situated co-accused Shatrughan Yadav has been granted anticipatory bail by a coordinate Bench of this Court vide order dated 10.07.2017 passed in Cr. Misc. No. 30962 of 2017. 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 Chief Judicial Magistrate, Saharsa in connection with Saharsa P.S. Case No. 294 of 2017, 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.

(Vikash Jain, J)

BT/-

U		T	
---	--	---	--

