

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77125 of 2018

Arising Out of PS. Case No.-5 Year-2015 Thana- BARH District- Patna

Indra Yadav @ Indrar Yadav S/o Chalitar Yadav, R/o Village- Soima, P.S.-
Barh, District- Patna.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Dinesh Jha, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 16-01-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 395 and 397 of the Indian Penal Code registered in connection with Barh P.S. Case No. 05 of 2015.

3. It is submitted that the petitioner has been falsely implicated as the first information report is against 5-6 unknown persons. The petitioner's name has surfaced only on the basis of confessional statement of co-accused Shailendra Yadav after about two years, except which there is no material to connect the petitioner with the alleged occurrence. No recovery of any incriminating articles has been made from possession of the petitioner. The petitioner claims clean antecedents.

4. Having regard to the entirety of the facts and circumstances of the case, 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



Additional Chief Judicial Magistrate, Barh in connection with Barh P.S. Case No. 05 of 2015, subject to the conditions as laid down under Section 438 (2) 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/Chandran

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