

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37353 of 2019**

Arising Out of PS. Case No.-457 Year-2018 Thana- SAUR BAZAR District-
Saharsa

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SURENDRA YADAV, aged about 50 years, male, Son of Late Shrawan Yadav
Resident of Village-Bhagwatpur Ward No.09, P.S.-Sour Bazar, Patarghat,
O.P. District-Saharsa.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Chandra Mohan Jha, Advocate.

For the State : APP

For the informant : Ms. Rashmi Jha, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 04-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 363, 365 of the Indian Penal Code
registered in connection with Sour Bazar (Patarghat O.P.) P.S.
Case No. 457 of 2018.

3. It is submitted that the petitioner has been falsely
implicated merely because he happens to be the father of co-
accused Amarjeet. Learned counsel for the petitioner has
produced a certified copy of the deposition of the so-called victim
under Section 164 Cr. P.C. to the effect that he had gone to Delhi
with his friend Amarjeet and worked as a cook. It is therefore
submitted that there is no objective material against the
petitioner to connect the petitioner with the entire occurrence.
The petitioner claims clean antecedent.

4. Learned APP assisted by learned counsel for the
informant appears and opposes the anticipatory bail petition.



5. 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 Sour Bazar P.S. Case No. 457 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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