

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37765 of 2019

Arising Out of PS. Case No.-279 Year-2018 Thana- KAMTAUL District- Darbhanga

Nand Lal Yadav, Male, aged about 40 years, Son of Late Sukan Yadav
Resident of Village- Ganjaradhauli, P.S.- Kamtaul, District- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rudal Singh, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 24-06-2019 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, 324, 307, 448, 380, 354 and 34 of the Indian Penal Code registered in connection with Kamtaul P.S. Case No. 279 of 2018.

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 accusation of assault is general and omnibus in nature. The injuries sustained by the informant are simple in nature. It is further submitted that there is delay of five days in instituting the FIR on 08.10.2018 for the alleged occurrence on 03.10.2018. The petitioner is an accused in one prior case instituted by the brother of the informant.

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, Darbhanga in connection with Kamtaul P.S. Case No. 279 of 2018, 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)

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