

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68964 of 2018

Arising Out of PS. Case No.-153 Year-2015 Thana- DARAUNDA District-
Siwan

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Vishal Kumar Yadav S/o-Punya Deo Yadav, R/o Village- Dinapatti, P.S.-
Tarwara, District-Siwan.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Anjani Parashar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 01-02-2019 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 Daraunda P.S. Case No. 153 of 2015.

3. It is submitted that the petitioner has been falsely
implicated and he is not named in the F.I.R. His name has
transpired only on the confessional statement of co-accused
Pintu Kumar who was arrested three years after the alleged
occurrence, except which there is no other material to connect
the petitioner with the alleged occurrence. No recovery has been
made from the possession of the petitioner who 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, Siwan in connection with Daraunda P.S. Case No. 153 of 2015, 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) 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) 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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