

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42090 of 2019

Arising Out of PS. Case No.-236 Year-2018 Thana- HASANPUR District- Samastipur

KRISHNA KUMAR @ KRISHNA KUMAR YADAV Son of Late Ram
Bahadur Yadav Resident of Village - Rajwa, P.S.- Hasanpur, Dist.-
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhim Kumar Yadav

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 11-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Section 414 IPC registered in connection with
Hasanpur P.S. Case No. 236/2018.

3. It is submitted that the petitioner has been falsely
implicated in the backdrop of petty disputes between the parties.
It is submitted that the Taba was purchased by the petitioner
himself and in respect of which he had received subsidy
(Annexure-2). The petitioner claims clean antecedents.

4. Be that it may, in the event of petitioner's arrest or
surrender within four weeks hereof let the above named
petitioner be released on provisional bail on furnishing bail bond
of Rs.10,000/- [ten thousand] with two sureties of like amount
each to the satisfaction of learned ACJM, Rosera (Samastipur) in
connection with 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 co-operate 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.

(v) That the petitioner shall produce the original receipt showing purchase of the Taba by him before the learned Court below.

5. The provisional bail granted to the petitioner shall be confirmed by the learned Court below upon verification about the genuineness of the receipt produced by the petitioner within a further period of four weeks after furnishing bail bond. In case the petitioner's claim fails on verification, his bail bond shall stand automatically cancelled.

(Vikash Jain, J)

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