

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51368 of 2018

Arising Out of PS. Case No.-53 Year-2016 Thana- MOKAMAH District-
Patna

=====

Bittu Kumar @ Bittu Yadav S/o Devander Yadav, R/o Modan Gaghi , P.S.-
Mokama , District- Patna.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr. Manoj Kumar Pandey, Advocate.

For the Opposite Party: APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 23-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 341, 323, 504, 448, 308, 354, 354(B)/34
of the Indian Penal Code registered in connection with Mokama
P.S. Case No. 53 of 2016.

3. It is submitted that the petitioner has been falsely
implicated and there is case and counter case between the
parties. The F.I.R. instituted by the father of the petitioner is
earlier in point of time. Similarly situated co-accused Devendra
Yadav @ Devendra pd. Yadav and Manish Kumar who are the
father and brother respectively of the petitioner have been
granted anticipatory bail by this Court in Cr. Misc. No. 1663 of
2017. The injuries upon the informant attributed to the assault
by the petitioner is simple in nature. The petitioner claims clean
antecedents.

4. Be that as it may, 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 Sri Deepak Kumar, learned Judicial Magistrate Ist Class, Barh, Patna in connection with Mokama P.S. Case No. 53 of 2016, 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)

lbrar/

U		T	
---	--	---	--

