

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48473 of 2019

Arising Out of PS. Case No.-71 Year-2018 Thana- NOORSARAI District- Nalanda

AJIT YADAV Son of Lala Yadav @ Kurendra Yadav Resident of Village -
Bind, P.S.- Bind, Distt.- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Prasad Singh
For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 05-08-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 379 IPC registered in connection with Noorsarai P.S. Case No. 71 of 2018.

3. It is submitted that the petitioner has been falsely implicated in connection with theft of a tempo and the petitioner is not named in the FIR. His name has surfaced on the extra judicial confessional statement of co-accused Satyadeo Prasad @ Tuntun, except which there is no objective material to connect the petitioner with the alleged occurrence. No recovery of the stolen vehicle has been made either from the possession of the petitioner or from his house. The petitioner 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 CJM, Nalanda at Biharsharif, in connection with Noorsarai P.S. Case No. 71 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 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. 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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