

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78074 of 2018

Arising Out of PS. Case No.-256 Year-2018 Thana- MAIRWAN District- Siwan

Haresh Yadav S/o Nathuni Yadav @ Nathuni Chaudhari, R/o Vill.- Sirisiya,
P.S.- Nawtan, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh
For the Opposite Party/s : Mr.Sri Madan Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 08-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Mairwa P.S. Case No. 256 of 2018 registered for the offences punishable under Sections 461 and 379 of the Indian Penal Code.

Informant has alleged in his written complaint that on 05.07.2018 when he came for his shop, he found that after breaking the door someone had stolen away Rs. 2200/- from his shop.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case on the basis of suspicion. Petitioner is not named in the FIR. The name of the petitioner



has surfaced on the basis of confessional statement of co-accused Manoj Yadav. Petitioner is in custody since 14.07.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Siwan, in connection with Mairwa P.S. Case No. 256 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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