

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53841 of 2019

Arising Out of PS. Case No.-162 Year-2019 Thana- NATHNAGAR District- Bhagalpur

NIRANJAN YADAV Son of Anno Yadav @ Anup Lal Yadav Resident of
Village- Sardarpur @ Sahzadpur, P.S.- Nathnagar (Madhusudanpur), District-
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Upadhyaya
For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 16-11-2019 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner apprehends his arrest for the offences alleged
under Sections 448, 341, 323, 354(B), 427, 504, 506, 34 of the Indian
Penal Code registered in connection with Nathnagar (Madhusudanpur)
P.S. Case No. 162 of 2019.

3. It is submitted that the petitioner has been falsely implicated
in the backdrop of land dispute and the parties are own brothers. As
such the accusation that the petitioner outraged the modesty of the
informant's wife is highly improbable. It is submitted that the injuries
are simple in nature. The petitioner claims clean antecedents.

4. A perusal of para 14 of the case diary shows that the informant
has not reiterated the aforesaid accusation against the petitioner nor
has his son stated anything in this regard in para 5 of. Injury report in
para 37 discloses injuries of simple in nature.

5. 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 ACJM Ist, Bhagalpur, in connection with Nathnagar (Madhusudanpur) P.S. Case No. 162 of 2019, 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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