

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57553 of 2019

Arising Out of PS. Case No.-47 Year-2019 Thana- DURGAWATI District- Kaimur (Bhabua)

PAPPU YADAV Son of Late Gupteshwar Yadav R/O village- Awaheriya
Dera, P.S.- Durgawati, District Kaimur at Bhabua.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 13-09-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Durgawati P.S. Case No. 47 of 2019 for the offence punishable under Sections 353, 379, 341, 323 and 504 of the Indian Penal Code.

The informant is a postman. It is alleged that he was to deliver two parcels to the petitioner and the petitioner was required to pay a total sum of Rs.3,496/- against delivery of the articles. It is alleged in the First Information Report that the petitioner petitioner not only kept the parcels, but he abused the postman and thrashed him when he had demanded for money.

Learned counsel appearing on behalf of the petitioner has submitted that there is no document to support the fact that the two parcels were ever delivered to him. However, taking a line of least resistance, he has submitted that he will



deposit the said amount of Rs.3,496/- in appropriate account of Pipariya Post office in the district of Kaimur within two weeks from today without prejudice to his defence in the criminal case.

Considering the above submission, this application is allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Kaimur at Bhabhua, in Durgawati P.S. Case No. 47 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

The Post Master of Pipariya Post Office is hereby directed to accept the said amount, in compliance of the present order, in appropriate account.

It is made clear that the deposit, which the petitioner



shall be making in terms of the undertaking, as noted above,
shall be subject to the final adjudication of the case.

(Chakradhari Sharan Singh, J)

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