

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60850 of 2019

Arising Out of PS. Case No.-38 Year-2019 Thana- BELAGANJ District- Gaya

UDAY YADAV Son of Ganeshi Yadav Resident of Village- Dalli Bigha, P.S.-
Bela Ganj, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Yadav

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 26-09-2019 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 447, 341, 323, 337, 354, 379, 504, 506, 34 of the Indian Penal Code registered in connection with Belaganj P.S. Case No. 38/2019.

3. It is submitted that the petitioner has been falsely implicated in retaliation of an earlier FIR lodged by the petitioner's wife in Belaganj P.S. Case No. 28 of 2019. It is submitted that the accusations under Section 379 and 354 of the Indian Penal Code have been added only to add gravity to the occurrence. No incriminating articles have been recovered from the conscious possession of the petitioner. The accusation of assault is general and omnibus in nature. 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 ACJM XI, Gaya, in connection with Belaganj P.S. Case No. 38/2019,



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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