

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61304 of 2019**

Arising Out of PS. Case No.-122 Year-2019 Thana- VISHNUPAD District-
Gaya

=====

HEMANT KUMAR @ HEMANT YADAV Son of Late Ramchandra Yadav
Resident of Mohalla-Maranpur, P.S-Vishnupad, District-Gaya, Bihar.

... .. Petitioner

Versus

1. The State of Bihar
2. Radhika Kumari W/o Dev Prakash Resident of Village and P.O-Rajan, P.S-
Gurua, District-Gaya.

... .. Opposite Parties

=====

Appearance :

For the Petitioner : Mr. Dayanand Singh, Advocate.
For the Opposite Party: Mr. Surendra Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 14-10-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 387 and 506 of the Indian Penal Code
registered in connection with Vishnupad P.S. Case No. 122 of
2019.

3. It is submitted that the petitioner has been falsely
implicated in the backdrop of admitted land dispute between the
parties and in respect of which Title Suit No. 31 of 2015
(erstwhile T.S. Case No. 166 of 2008) is pending. It has been
noted in the order dated 02.04.2012 that in the said title suit the
parties had agreed not to change the nature of the disputed
property, but contrary to such agreement, the informant had
started to construct her house on the subject land, injunction
being made by the petitioner, the present case had been lodged.

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 Chief Judicial Magistrate, Gaya in connection with Vishnupad P.S. Case No. 122 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 cooperate 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) That 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)

Ibrar//-

U		T	
---	--	---	--

