

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6184 of 2020**

Arising Out of PS. Case No.-162 Year-2019 Thana- AANDAR District-
Siwan

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BIPIN LAL YADAV Son of Bal Govind Yadav Resident of Village-Gopi
Patiaon, P.S.-M.H. Nagar, District-Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate.

For the Opposite Party/s: Mr. Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 03-03-2020

Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 363, 366(A)/34 of the Indian Penal Code
registered in connection with Andar (M.H. Nagar) P.S. Case No.
162 of 2019.

3. It is submitted that the petitioner has been falsely
implicated in connection with alleged kidnapping of the
informant's niece by other co-accused persons. No specific overt
act has been alleged against the petitioner who is merely said to
have been present where the victim was kept. There is inordinate
delay in instituting the F.I.R. on 02.10.2019 for the alleged
occurrence of 15.09.2019. The petitioner has been implicated
merely to put pressure upon him as he is chargesheet witness in
Andar (M.H. Nagar) P.S. Case No. 202 of 2017 (Annexure-3). 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 Additional Chief Judicial Magistrate-IX, Siwan in connection with Andar (M.H. Nagar) 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 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)

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