

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31349 of 2019**

Arising Out of PS. Case No.-2573 Year-2016 Thana- COMPLAINT CASE District- Araria

Sudhir Yadav, Son of Kankir Yadav, Resident of Village- Bishanpur, Police
Station- Raniganj, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Parmanand Yadav, Son of Late Baldeo Yadav, Resident of Village-
Bishanpur, Police Station- Raniganj, District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

4 14-02-2020 Heard learned counsel for the parties.

The petitioner apprehends his arrest in Complaint
Case No. 2573C of 2016 registered for the offence(s) punishable
under Sections 406 and 379 of the Indian Penal Code.

As per prosecution case, it is alleged that cattle of the
complainant were traceless and petitioner & five other persons
assured that if the complainant would pay Rs. 15,000/-, they
will ensure the recovery of the same and for that Rs. 5000/- as
advance was paid to them.

It is submitted on behalf of petitioner that petitioner



has falsely been implicated in this case due to enmity, and the complainant has filed this application after a delay of more than one year from the date of alleged occurrence, which itself shows the falsity of the case. It is further submitted that four other similarly situated co-accused have already been granted bail by this Court, vide order dated 11.02.2019 in Criminal Misc. No. 7719 of 2019. Petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances, in the event of arrest or surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Araria in connection with Complaint Case No. 2573C of 2016 on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.”

(Prabhat Kumar Singh, J)

Ankit/-

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