

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82805 of 2019

Arising Out of PS. Case No.-108 Year-2019 Thana- KHARIK District- Bhagalpur

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PRAKASH YADAV S/O Bilkishan Yadav Resident of - Tulsipur, P.S.- Kharik
Bazar, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Thakur

For the Opposite Party/s : Mr.Tapeshwar Sharma

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 14-01-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody seeks bail in a case
registered under Sections 147, 341, 323, 448, 354, 379, 504, 506
of the Indian Penal Code.

Informant has alleged that on 19.05.2019 at about
9.30 PM when she was in her house alongwith her children, in
the meantime, FIR named accused including petitioner entered
into the courtyard and started abusing and assaulting them and
also took away household articles and jewelries.

It has been submitted on behalf of petitioner that
petitioner is innocent and there is no specific allegation of any
overt act against him. Allegation against all accused is general
and omnibus in nature. There is case and counter case. Co-
accused Gopal Yadav was also instituted FIR against the



informant and others. Petitioner has no criminal antecedent and is in custody since 27.07.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below, in connection with Kharik P.S. Case No. 108 of 2019 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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