

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2180 of 2020

Arising Out of PS. Case No.-37 Year-2019 Thana- PHULPARAS District- Madhubani

Ramashish Yadav S/O Late Tharu Yadav R/O Village - Siswa, Barhi, P.S.-
Phulparas, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar, Advocate

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-02-2020 Heard learned counsel for the petitioner and
learned A.P.P for the State.

The petitioner apprehends his arrest in **Phulparas P.S. Case No. 37 of 2019**, registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307, 354 and 380 of the Indian Penal Code.

Petitioner is alleged to have assaulted father of informant with butt of the Gun, causing head injury.

It is submitted that petitioner has falsely been implicated in this case due to land dispute between the parties. Both parties are agnates. There is case and counter case and both sides sustained injury. This case has been filed by the informant only to save his skin from Phulparas P.S. Case no. 27 of 2019 filed by the petitioner's side. Petitioner is an old man aged about 70 years suffering from several ailments. Petitioner



has got clean antecedent.

Considering the facts aforesaid, the petitioner above-named in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Additional Chief Judicial Magistrate, Jhanjharpur (Madhubani)** in connection with **Phulparas P.S. Case No. 37 of 2019**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

(i) The petitioner shall co-operate 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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