

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60799 of 2023

Arising Out of PS. Case No.-208 Year-2021 Thana- BETTIAH CITY District- West
Champaran

=====

Jaldhari Yadav S/O Late Dukhi Yadav R/O Village- Chhawani, Ward No. 5,
P.S- Bettiah (TOWN), Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.
For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and the

learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Bettiah (Town) PS Case No. 208 of 2021, registered for the offence punishable under Sections 341,323, 384,367, 368, 371, 420,406 of the Indian Penal Code and Section 138 of the N.I. Act.

3. The petitioner is allegedly the mediator in the land transaction forming the basis of the instant prosecution. The informant had entered into an agreement with co-accused, namely, Raj Bahadur Rai.

4. It is submitted by the petitioner's counsel that petitioner being a mediator cannot be said to be in any way



involved with the allegations. The informant and the co-accused, namely, Raj Bahadur Rai has since resolved the issue and co-accused, namely, Raj Bahadur Rai has also been allowed anticipatory bail in Cr. Misc. No. 18889 of 2022 (Annexure-2), the petitioner, having no antecedent, is still apprehending his arrest.

5. Learned APP for the State has opposed the prayer for bail.

6. Considering the rival submissions, clean antecedent, the compromise forming the basis of bail granted to co-accused, namely, Raj Bahadur Rai, and the nature of allegations, this Court, for the limited purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for anticipatory bail is allowed.

7. Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released 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 J M 1st Class, Bettiah, West Champaran, in connection with Bettiah (Town) PS Case No. 208 of 2021, subject to the conditions as laid down in Section 438(2) of the Code of



Criminal Procedure with following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

shyambihari/-

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

