

Patna High Court - Orders

Jagarnath Yadav vs The State Of Bihar on 26 September, 2011

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 28741 of 2011

1. Jagarnath Yadav, S/o Late Yadu Yadav, R/O Vill-  
Dindayal Nagar, P.S- Bagaha, Dist-West Champaran.

Versus

1. The State of Bihar

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02. 26.09.2011 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case registered under Sections 323, 420 and 493 of the Indian Penal Code.

It has been submitted that from the facts of the case it appears to be a case of consent between the parties.

Considering the same, let the petitioner, above named be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of four weeks from the date of receipt of the order on furnishing bail bond of Rs. 5,000/- (Five Thousand) with two sureties of the like amount each or any other surety as fixed by the Court to the satisfaction of Sub- Divisional Judicial Magistrate, Bagaha, West Champaran in connection with Complaint Case No. 230 of 2010 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as also subject to the 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 affidavit shall clearly state that the petitioner is not an accused in any other case and if he is he shall not be released on bail. (iii) That the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse. (iv) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Anjana Prakash, J.) Vikash/-