

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43332 of 2016

Arising Out of PS.Case No. -15 Year- 2016 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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Bigu Yadav S/o Late Harilal Yadav Resident of Village-Bhataha
Laxmipur, P.S.- Sugauli, District-East Champaran Petitioner

Versus

1. The State of Bihar
 2. Rahul Srivastava, Branch Manager, S.B.I., Paras Pakari Branch, P.S.
Majhulia, District –West Champaran
- Opposite Parties
- =====

Appearance :

For the Petitioner : Mr. Sanjeev Kumar, Advocate
For the State : Mr. Md. Fahimuddin, Advocate
For the State Bank of India : Mr. Anjani Kumar Mishra, Advocate

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

3 24-10-2016 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered for offences punishable under Sections 457 and 380 of the Indian Penal Code.

As per allegation, police case was lodged for theft in bank of about rupees eight lacs cash and jewellery worth of about Rs. fifty lacs. First Information Report was lodged against unknown.

Learned counsel for the petitioner submits that there is nothing against this petitioner save and except the fact that one co-accused, namely, Sanjay Kumar Yadav, in his self incriminating confessional statement, has taken the name of the petitioner as driver of the tractor upon which gas-cutter was brought to the bank. There is no recovery from the petitioner. It is further contended that the confessional statement of the co-

accused led to no recovery of stolen articles. It is also contended that several other co-accused, who are on similar footing, including co-accused Sanjay Kumar Yadav, who has taken the name of the petitioner in his confessional statement, have been granted bail by different coordinate Benches of this Court and the petitioner is in custody since 17.8.2016. It is contended that charge-sheet has also been submitted and the petitioner is having clean antecedent.

Having regards to the facts and circumstances of the case, the petitioner, namely, Bigu Yadav is directed to be released on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, West Champaran at Bettiha in Majhauria P.S. Case No. 15 of 2016.

However, before accepting the bail bonds, the court below would make verification regarding criminal antecedent of the petitioner and if he is found to be involved in any criminal case before his arrest, then he would not be released.

(Dr. Ravi Ranjan, J)

Spd/-

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