

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2544 of 2017

Arising Out of PS.Case No. -72 Year- 2016 Thana -BAUNSI District- BANKA

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Prafulla Yadav @ Prafulla Kumar Yadav, Son of Shankar Yadav, Resident
of Village Simra More, P.S. Bounsi, District Banka.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Praveen Kumar, Advocate

For the Opposite Party : Mr. Ajit Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 04-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with S.T. No.
317 of 2016, arising out of Bounsi P.S Case No. 72 of 2016,
registered for the offence punishable under Section 392 of the
Indian Penal Code.

Allegedly, three motorcycles borne criminals hiding
their faces came to petrol pump and looted cash of Rs. 11,000/-.

Submission is of false implication and that noting
incriminating article has been recovered from the possession of the
petitioner, no T.I.P. has been conducted, the petitioner is not
named in the First Information Report and only on the basis of
confessional statement, the petitioner has been implicated. Charge



sheet has already been submitted under Section 395 of the Indian Penal Code and petitioner is in custody since 29.07.2016, there is no chance of tampering with the prosecution evidence, Munna Yadav similarly situated has been allowed bail vide Cr. Misc. No. 50895 of 2016 by another co-ordinate Bench of this Court and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P opposes the prayer of bail.

In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge, 1st Banka, in connection with S.T. No. 317 of 2016, arising out of Bounsi P.S Case No. 72 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

Rajiv/-

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