

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25107 of 2017

Arising Out of PS.Case No. -472 Year- 2016 Thana -SUPAUL District- SUPAUL

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Jitendra Kumar @ Pakauri Yadav S/o- Indradev Prasad Yadav, resident of
Village- Bhirkhi, P.S. and District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suman Kumar Jha, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 24-07-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
27.10.2016 in connection with Supaul P.S. Case No. 472 of 2016
registered for the offence punishable under Section 392 of the
Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while returning home, three miscreants on pistol point
snatched his motorcycle.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the First Information
Report and his name surfaced during investigation on confessional



statement of Sakil Sanu @ Lalo. It has further been submitted that no Test Identification Parade has been done so far and the person from whose possession motorcycle has been recovered, has also been granted the privilege of bail by a coordinate Bench of this Court. It has further been submitted that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner is a habitual offender, hence, opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul in connection with Supaul P.S. Case No. 472 of 2016, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable properties within the jurisdiction of the concerned P.S./ Court, who would file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned Court below on each and every date and failure to appear before the learned Court below on two consecutive dates



without assigning any reason will entail cancellation of his bail bonds.

It is further made clear that if, in future, petitioner indulges in similar nature of offence, the prosecution will be at liberty to move before the learned Court below for cancellation of his bail bonds.

(Nilu Agrawal, J.)

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