

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29588 of 2017

Arising Out of PS.Case No. -133 Year- 2016 Thana -BAHADURPUR District- DARBHANGA

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Lalan Yadav @ Lallan Kumar Yadav Son of Sukharu Yadav, resident of
Village- Ganj Bajitpur, Police Station- Bahadurpur, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 08-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
06.04.2016 in connection with Bahadurpur P.S. Case No. 133 of
2016 for offence punishable under Sections 413, 414, 420, 467,
468 and 120(B)/34 of the Indian Penal Code.

The prosecution case, as lodged by the police
personnel, is that on a secret tip-off that some miscreants are
roaming on a stolen motorcycle, petitioner was apprehended while
another accused Golu Mahto managed to flee away. The petitioner
confessed his guilt that he had committed theft of motorcycle and
one stolen motorcycle he had sold to Ajay Kumar Yadav after



restructuring the parts.

It has been submitted by the learned counsel for the petitioner that he is innocent and that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner. He submits that considering the period of custody, a sympathetic consideration be given.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner is involved in five more cases, some of them are of similar nature.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Bahadurpur P.S. Case No. 133 of 2016, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station, who will 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



on two consecutive dates without assigning any reason will entail cancellation of his bail bonds. It is also made clear that if the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J.)

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