

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40385 of 2017

Arising Out of PS.Case No. -6 Year- 1997 Thana -AKBARPUR District- NAWADA

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Raghuni Prasad Yadav @ Raghuni Prasad, Son of Dukhi Prasad, Resident
of Village: Ashrafpur, Police Station- Akbarpur, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate

For the Opposite Party/s : Mr. Pancha Nand Pandit, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 18-10-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner seeks bail in connection with Sessions Trial
No. 466 of 2017/093 of 2017, arising out of Akbarpur P.S. Case
No. 06 of 1997 registered for the offence punishable under Section
395 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that in the night his daughter-in-law heard some sound and
thereafter some criminals forcibly entered into the house and took
away various house-hold items.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the First Information



Report, bears no criminal antecedent and was not made accused in the present case, but his name surfaced during investigation and is languishing in judicial custody since 24.04.2017. He submits that no overt act has been committed by him and nothing has been recovered from his house. He further submits that petitioner undertakes to cooperate in the trial and appear before the learned Court below as and when required.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that it is an old matter and that petitioner has delayed the trial.

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 Additional District and Sessions Judge 2nd, Nawada in connection with Sessions Trial No. 466 of 2017/093 of 2017, arising out of Akbarpur P.S. Case No. 06 of 1997, subject to the conditions that:

- (1) One of the bailors would be close relative of the petitioner having sufficient immovable property, who



will file an affidavit stating their relationship with the petitioner.

(2) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J.)

Arjun/-

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