

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48231 of 2017

Arising Out of PS.Case No. -48 Year- 2017 Thana -NARPATGANJ District- ARRARIA

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1. Subhash Yadav Son of Devan Yadav @ Deo Narayan Yadav Resident of
Village - Posdaha, P.S. - Narpatganj, District - Araria (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 29-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 18.03.2017 in
connection with Narpatganj P.S. Case No. 48 of 2017, G.R. No.
408 of 2017 for offences punishable under Section 414 of the
Indian Penal Code.

The prosecution case, as lodged by the police
personnel, is that on secret information that one Amlesh Yadav
had brought a looted motorcycle, the police raided and arrested the
said co-accused Amlesh Yadav and on his confessional statement
the name of the petitioner transpired.

It has been submitted by the learned counsel for the



petitioner that he is innocent, not named in the First Information Report and it is only on the confessional statement of co-accused Amlesh Yadav that he has been made accused in the present case. He submits that the said Amlesh Yadav has been granted privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 34191 of 2017 on 17.08.2017, charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does to have a clean antecedent and is involved in five more cases some of serious 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 Judicial Magistrate Ist Class, Araria, in connection with Narpatganj P.S. Case No. 48 of 2017, G.R. No. 408 of 2017, subject to the conditions that :

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



will file an affidavit stating his relationship with the petitioner.

- (ii) 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)

Rajesh/-

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