

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43364 of 2017

Arising Out of PS.Case No. -327 Year- 2017 Thana -BANKA District- BANKA

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1. Bhavesh Yadav @ Bhavesh Kr. Yadav, Son of Bharat Yadav, Resident of Village- Tetariya, Police Station- Banka, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Sri Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-10-2017

Heard the learned counsel for the petitioner and learned APP for the State.

The petitioner seeks regular bail in connection with Banka P.S. Case No. 327 of 2017 registered for offences punishable under Sections 147, 148, 149, 341, 323, 307, 379, 387, 504, 506 of the Indian Penal Code and Section 3 of Explosive Substance Act.

Allegation against the petitioner is of assault and theft of mobiles.

It has been submitted on behalf of the petitioner that petitioner is not named in the F.I.R.. It appears from the perusal of the impugned order, that the petitioner has been made accused only on the basis of recovery of two mobiles and one SIM from the house of the petitioner. It is further submitted that he is in judicial custody for more than six months and he is of clean antecedent.

Heard learned A.P.P. also.

Having heard both sides, in view of the fact that petitioner's name transpired on this case only on the basis of confessional statement of co-accused and except that there is nothing against the petitioner, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Banka in connection with Banka P.S. Case No. 327 of 2017 subject to the



following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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