

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25615 of 2017

Arising Out of PS.Case No. -34 Year- 2016 Thana -DHANGAI District- BHOJPUR

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Sanjay Yadav Son of Late Amir Yadav, resident of Village- Rupbandh,
Police Station- Jagdishpur, District- Bhojpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. Madan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 13-06-2017

Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner is seeking Regular Bail in
connection with Dhangai P.S. Case No. 34 of 2016 for
offences alleged under Sections 395, 364 of the Indian
Penal Code.

Learned counsel for the petitioner submits that
so far as the present petitioner is concerned, the allegation
against him is that the goods loaded on the truck were
unloaded in the rice mill which is being run by this
petitioner. The petitioner has no criminal antecedent and he
was not present in the rice mill when the alleged unloading
took place, There is no active participation of this petitioner
in commission of the offences alleged under Section
395/364 of the Indian Penal Code. The petitioner is in
custody since 17.10.2016, and the co-accused Birendra
Singh Yadav @ Birendra Samrat @ Birendra Yadav has
been granted regular bail by a coordinate Bench of this
Court in Cr. Misc. No. 21393/2017.



Learned Additional Public Prosecutor opposed the prayer for bail of the petitioner.

Considering the nature of allegation and the submission that unloading of goods in the rice mill of the petitioner was not in presence of the petitioner and the petitioner is not having any criminal antecedent, and also that he is in custody for about 8 months by now and the co-accused has been granted regular bail by a coordinate Bench of this Court, let the petitioner above-named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bhojpur at Ara, in connection with Dhangai P.S. Case No. 34 of 2016, subject to the conditions under Section 437(3) Cr.P.C. and that petitioner shall cooperate in early completion of trial and shall appear in the trial court regularly, in case of two regular default in appearance before the trial court, his bail bond shall be cancelled by the trial court itself.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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