

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29804 of 2017

Arising Out of PS.Case No. -181 Year- 2015 Thana -DAUDNAGAR District- AURANGABAD
=====

Phidu Yadav @ Fiddu Yadav, Son of Sri Ram Barat Yadav @ Ram Barat Singh, Resident of Village Hichhan Bigha, Police Station- Daudnagar, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Ramchandra Singh

For the Opposite Party/s : Sri Ajay Kumar Jha
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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 11-07-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in connection with Daudnagar P.S. Case No. 181 of 2015 registered for the offence punishable under section 394 of the Indian Penal Code.

First Information Report is against three unknown and during investigation, the petitioner was arrested on the basis of confessional statement of co-accused Rajesh Yadav, in committing the present crime, the motor cycle used is alleged to be of the petitioner.

Submission is of false implication and that First Information Report does not disclose number of vehicle which is said to be used in committing the present crime. The motor cycle recovered from the possession of Rajesh Yadav is not of the petitioner. There is no legal and tangible material against the petitioner and without any



fault he is suffering in custody since 8.4.2017. Co-accused Rajesh Yadav has already been granted bail, vide Criminal Miscellaneous No. 30097 of 2016 by a coordinate Bench of this Court and as such, the petitioner also deserves sympathetic consideration.

The learned APP opposes the prayer of bail by submitting that the petitioner has got criminal antecedent.

In the facts and circumstances stated above, the petitioner, above named, is directed to be released on bail on execution of bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Daudnagar (Aurangabad) in connection with Daudnagar P.S. Case No. 181 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason, shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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