

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47300 of 2017

Arising Out of PS.Case No. -158 Year- 2017 Thana -TRIVENIGANJ District- SUPAUL

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1. Dinesh Yadav Son of Sri Prasad Yadav, R/o Chatgoan, P.S.- Triveniganj,
District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Md. Nazir Ansari

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 09-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
16.06.2017 in connection with Triveniganj P.S. Case No. 158 of
2017 for offences punishable under Section 379 of the Indian
Penal Code.

The prosecution case, as lodged by the informant, is
that in the morning when the informant opened his shop named as
Jaiswal Traders he found that his shop has been burgled and TV,
fans, motor, cooler and other items worth more than Rs. 3 lakhs
has been looted.

It has been submitted by the learned counsel for the



petitioner that he is innocent has been falsely implicated in the aforesaid case. He submits that there is no eye-witness to the alleged occurrence and during investigation CCTV footage of the shop has only indicated that a person like the petitioner was present in the shop. He further submits that 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 other co-accused and the petitioner in their confessional statement have admitted their involvement and that some of the items have been recovered from the house of the petitioner. He further submits that the petitioner is also involved in two more cases of similar nature.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on completion of six months in custody on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-I, Supaul, in connection with Triveniganj P.S. Case No. 158/2017, subject to the condition that 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 and that 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. It is also made clear that if the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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