

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23606 of 2017

Arising Out of PS.Case No. -76 Year- 2016 Thana -KUSHESHWARSTHAN District-
DARBHANGA

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Bara Babu Yadav @ Bada Babu Yadav, S/o Bam Bahadur Yadav, resident
of Village - Jahangirpur, Police Station - Singhia, District - Samastipur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Abhimanyu Sharma, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh 1, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-05-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Kusheshwar Asthan P.S.Case No. 76 of 2016 registered for the
offences punishable under Section 392 of the Indian Penal Code.

Petitioner is not named in the FIR and his name
transpires during course of investigation.

It has been submitted on behalf of the petitioner that
except confessional statement of co-accused, in which name of the
petitioner transpires, there is nothing against him and there is no
recovery and no T.I. parade has been held and he is in custody for
about four months. So far criminal antecedent is concerned, it has
been submitted that he has also been implicated in those cases on
the basis of confessional statement and he is on bail in all those
cases.

Heard learned APP also.

Having heard both sides and considering the aforesaid
facts and circumstances, let the petitioner, named above, be



released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Biraul, Darbhanga, in connection with Kusheshwar Asthan P.S.Case No. 76 of 2016, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties 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 reason, the prosecution is free to move for cancellation of his bail.
- (iv) If active participation of the petitioner in such type of cases is found in future, his bail bond shall be liable to be cancelled.

(Vinod Kumar Sinha, J)

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