

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39825 of 2017

Arising Out of PS.Case No. -105 Year- 2016 Thana -LODIPUR District- BHAGALPUR

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1. Kundan Yadav, S/o Anandi Yadav, Resident of Village- Chaudhridih,
Police Station- Lodipur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar

For the Opposite Party/s : Mr. Anuj Kumar Srivastava

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 11-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Lodipur P.S.
Case No. 105 of 2016 for offences punishable under Section 392
of the Indian Penal Code.

The First Information Report has been lodged for road
robbery against unknown.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the First Information
Report and it is only on the basis of confessional statement of co-
accused Arbind Kumar, who has been granted privilege of bail by
a coordinate Bench of this Court in Cr. Misc. No. 10327 of 2017



on 18.03.2017, that he has been made accused. He submits that no T.I. Parade has been done so far, charge-sheet has already been submitted, there is no allegation of tampering of the prosecution witnesses by the petitioner and just because he is involved in six more case earlier, some of similar nature, he has been made accused and he is languishing in custody since 16.02.2017.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner is a habitual offender and as many as six more cases, some of similar nature, are pending against him.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail 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-4, Bhagalpur, in connection with Lodipur P.S. Case No. 105/2016, subject to the condition that both the bailors would be close relatives of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating their relationship with the petitioner and 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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