

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22778 of 2017

Arising Out of PS.Case No. -106 Year- 2015 Thana -SINGHESHWARASHTHAN District-
MADHEPURA

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Sonu Yadav @ Manish Yadav Son of Kapleshwar Yadav, Resident of
Village- Sabaila, Police Station- Singheshwar, District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Dharendra Pratap Singh, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 01-08-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner seeks bail in connection with Singheshwar
P.S. Case No. 106 of 2015 registered for the offence punishable
under Section 392 of the Indian Penal Code.

The prosecution case, as lodged by the Credit Officer
of Bandhan Bank, is that while he was returning on 25.06.2015 at
8:00 A.M. after collecting money from various customers, three
persons on a motorcycle nabbed him and snatched the money and
also slapped him. The bag contained Rs. 39, 975/-.

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 confessional statement of co-accused Sonu Singh before the police, which has no evidentiary value in the eye of law, that he has been made accused. He further submits that said Sonu Singh has confessed his involvement in three other cases as well. He submits that no Test Identification Parade has been held so far and that the petitioner has been remanded in the present case on 19.01.2017 and just because he has criminal antecedent, he has been made accused in the present case. He further submits that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner is a habitual offender, hence, opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura in connection with Singheshwar P.S. Case No. 106 of 2015, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable properties within the



jurisdiction of the concerned P.S./ Court, who would file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned Court below on each and every date and failure to appear before the learned Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

It is further made clear that if in future, petitioner indulges in similar nature of offence, the prosecution will be at liberty to move before the learned Court below for cancellation of his bail bonds.

(Nilu Agrawal, J.)

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