

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39931 of 2017

Arising Out of PS.Case No. -139 Year- 2017 Thana -LAHERIMUHALLA District- NALANDA
(BIHARSHARIFF)

=====

1. Jagdeo Yadav, Son of Prakash Yadav, Resident of Village-Baildhar, P.S.
Muffasil, District-Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Amrendra Prasad

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 17-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Laheri P.S.
Case No. 139/17 for offences punishable under Sections 379, 411
of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that he had gone to his uncle's house and on return to his house he
found his motorcycle missing. Accordingly, First Information
Report was lodged against unknown.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the First Information
Report, his name surfaced on his own confessional statement



before the police in Laheri P.S. Case No. 138 of 2017 and since then he has been remanded in the present case and languishing in custody since 09.05.2017. He submits that nothing has been recovered from his conscious possession and that he is already on bail in Laheri P.S. Case No. 138 of 2017 granted by this Court. It is further submitted 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 the petitioner is a habitual offender and two cases 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 Chief Judicial Magistrate, Nalanda at Biharsharif, in connection with Laheri P.S. Case No. 139 of 2017, subject to the conditions that:

- (1) Both bailors would be close relatives of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.



- (2) 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.
- (3) 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)

Rajesh/-

U		T	
---	--	---	--

