

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22575 of 2018

Arising Out of PS. Case No.-80 Year-2016 Thana- GHOGHARDIHA District- Madhubani

Pramod Yadav S/o Suraj Yadav @ Suraj Narayan Yadav, R/o Vill.- Dhobiyahi,
P.S.- Nirmali, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manish Kumar No 13, Advocate Mr. Jitendra Kumar Bharti, Advocate Ms. Nitu Kumari No.7, Advocate
For the Opposite Party/s :		Mr. Mukeshwar Dayal, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-04-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
30.10.2017 in connection with Ghoghardiha P.S. Case No. 80 of
2016, G.R. No. 1106 of 2016 registered for the offence
punishable under Section 395 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that he owns a jewellery shop and after closing the shop while
he was returning home, three miscreants intercepted and took
away his mobile and gold and silver ornaments.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the First Information
Report and just because he does not bear a clean antecedent, he



has been remanded in several cases, one after the other. It is further submitted that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner. He submits that no Test Identification Parade has been done so far.

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

Considering the facts and circumstances and the materials on record, let the petitioner, named above, 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 Sub-Divisional Judicial Magistrate, Jhanjharpur, Madhubani in connection with Ghoghardiha P.S. Case No. 80 of 2016, G.R. No. 1106 of 2016, subject to the conditions that:

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



(2) It is also made clear that if, in future, petitioner indulges in an offence of similar nature, 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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