

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38905 of 2018

Arising Out of PS.Case No. -114 Year- 2016 Thana -SALIMPUR District- PATNA

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Rabindra Yadav son of Sri Mahendra Yadav R/o Village Kewaria, P.S.-
Khusrupur, District - Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Sri Arun Kumar Singh -5

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Salimpur P.S.
Case No. 114 of 2016 for offences punishable under Section 392
of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that he was working in Micro Finance Company as C.S.O. and
after collection while he was on his way in his motorcycle, three
persons intercepted and took away cash of rupees about 22,000/-,
his mobile and other important documents from dickey along with
keys of the motorcycle.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has been falsely implicated in the



aforesaid case. He submits that the petitioner has been named in the F.I.R. only on the basis of confessional statement of co-accused Jayram Kumar. He submits that another co-accused who was made accused in the confessional statement by the co-accused Jayram Kumar has already been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 37634 of 2018 vide order dated 6.07.2018. It is further submitted that the petitioner is languishing in judicial custody since 18.04.2018, will cooperate in the investigation and undertakes not to tamper with the prosecution witnesses.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner is a habitual offender and as many as three cases 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 Additional Chief Judicial Magistrate-IV, Barh, Patna in connection with Salimpur P.S. Case No. 114 of 2016, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will



file an affidavit stating his 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)

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