

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2852 of 2018

Arising Out of PS.Case No. -255 Year- 2017 Thana -PARWATTA District- KHAGARIA

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1. Jagla Yadav @ Prashant Yadav S/o Chandrashekhar Yadav, R/o Village-Baisa, P.S.- Parbatta (Marai O.P.), District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. Satyendra Prasad

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 17-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since 26.08.2017 in connection with Parbatta (Maraiya) P.S. Case No. 255/2017, G.R. No. 2177/2017 for offences punishable under Section 395 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that while he was going on a motorcycle with one Up-Mukhiya three miscreants looted their cash and mobile. It was found that there were four persons also in the field who had committed similar type of offence with other persons going on the road. The petitioner along with six others were identified by the informant



while two others were not identified.

It has been submitted by the learned counsel for the petitioner that he is innocent and because of political dispute name of the petitioner has been taken by the informant. He submits 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 as many as three 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 completion of six months in custody 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- 1st, Khagaria, in connection with Parbatta (Maraiya) P.S. Case No. 255/2017, G.R. No. 2177/2017, subject to the following conditions :

- (i) 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.



- (ii) 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.
- (iii) 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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