

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30503 of 2018

Arising Out of PS.Case No. -617 Year- 2017 Thana -BANKA District- BANKA

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1. Himanshu Yadav S/o Late Prayag Yadav, R/o Vill.- Jhalar, P.S.- Bounsi,
District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Sri Panchanand Pandit

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 05-07-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Banka P.S. Case No.617 of 2017 registered for the offences
punishable under Section 392 of the Indian Penal Code.

As per F.I.R., three unknown miscreants intercepted
the motorcycle of informant and took away his motorcycle and
snatched cash amount Rs.88,995/- along with a tab which were
kept in the dickey.

It has been submitted that this petitioner was
apprehended by police in another case along with firearm for
which Bounsi P.S. Case No.317 of 2017 was registered. This
petitioner has confessed his complicity in the present crime also.
Besides that the petitioner is an accused in one more case and
nothing has been recovered from his possession. The petitioner



has not been put on T.I. Parade till the date. He is in custody since 19.02.2018 and so he deserves bail.

The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer of bail is allowed. The petitioner, named above, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of the learned A.C.J.M. III, Banka in connection with Banka P.S. Case No.617 of 2017, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) If the petitioner is found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iv) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

Harish/-

(Sanjay Kumar, J)

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