

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47931 of 2018

Arising Out of PS.Case No. -474 Year- 2018 Thana -SHEKHPURA District- SEKHPURA

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1. Hira Yadav, Son of Indal Yadav, Resident of Mohalla- Jurabganj
Nayatola, Police Station- Kodha, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Sri Asharaf Ansari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 27-09-2018 Heard the parties.

The petitioner seeks regular bail in connection with
Sheikhpura P.S.Case No.474 of 2018 (G.R.No.1016 of 2018)
registered for offences punishable under Section 379 of the Indian
Penal Code.

Allegation against the petitioner as per FIR is that the
informant withdrew Rs.48,000/- from the Bank and kept it in the
Dicky of his motorcycle and parked it and one person breaking the
Dicky took out the cash and further allegation is that on next day
he kept watching there and arrested the petitioner from there as the
person who has committed theft.

Submission of the learned counsel for the petitioner is that
the petitioner has clean antecedent and he was working as a



labourer in the house of the informant and there was dispute with regard to wages and as such he has been falsely implicated in this case and there is no witness of the occurrence except informant, his brother and one co-villager. Moreover the petitioner is in custody since 22.6.2018.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of CJM, Sheikhpura in connection with Sheikhpura P.S.Case No.474 of 2018 (G.R.No.1016 of 2018).

With 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) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure 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 bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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