

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.40877 of 2018**

Arising Out of PS. Case No.-162 Year-2017 Thana- GAYA MUFFSIL District- Gaya

Raju Yadav, Son of Shankar Yadav, Resident of Village- Manpur Surhi Tola,  
Police Station- Muffassil and District- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Manish Kumar No-2  
For the Opposite Party/s : Mr. Sunil Kumar Pandey

**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      11-07-2018                      Heard learned counsel for the petitioner and learned  
APP for the State.

Petitioner seeks bail in connection with Muffassil  
P.S. Case No. 162 of 2017 for offences punishable under Section  
394 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is  
that while she had taken out Rs. 40,000/- from the Bank and  
gone to the market along with her husband and nephew, two  
miscreants in a motorcycle snatched the said money along with  
the bag containing passbook, mobile, gold locket etc.

It has been submitted by the learned counsel for the  
petitioner that he is innocent, not named in the F.I.R. and his  
name surfaced only on the confessional statement of the co-  
accused Aryan Kumar, who has already been granted the



privilege of bail by a co-ordinate Bench of this Court in Cr. Misc. No. 29282 of 2018 vide order dated 16.05.2018. He submits that nothing has been recovered from his conscious possession, no T.I. Parade has been done so far and the petitioner is languishing in judicial custody since 04.05.2018. He further submits that although in the four cases which has been enumerated in paragraph-3 of his application showing his criminal antecedent, in all such cases he has not been named in the F.I.R. and has been dragged in the said cases after lodging of the present F.I.R. and in all cases he is on bail.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent.

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 Chief Judicial Magistrate, Gaya in connection with Muffassil P.S. Case No. 162 of 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)**

Rajesh/Pragya

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