

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62483 of 2018

Arising Out of PS. Case No.-49 Year-2018 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Shekhar Kumar Yadav @ Shekhar Kumar, Son of Arvind Yadav, Resident of
Village- New Shivpuri Colony, P.S.- Tilkamanjhi, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh
For the Opposite Party/s : Mr. Sri Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-11-2018 Heard the parties.

The petitioner seeks regular bail in connection with
Kotwali (Tilkamanjhi) P.S.Case No.49/18 registered for
offences punishable under Sections 395, 397 of the Indian
Penal Code.

Allegation against the petitioner as per FIR
is that while the informant was going to deposit Rs.10,53,000/-
in the HDFC Bank, the miscreants came on the motorcycle and
snatched the bag carrying Rs.10,53,000/- . The petitioner is not
named in the FIR and later on his name transpired during the
course of investigation of the case.

Submission of the learned counsel for the petitioner
is that the name of the petitioner has transpired only on the



basis of confessional statement of Kundan Kumar and except his confessional statement, there is nothing against the petitioner. Accused Kundan Kumar has been granted bail by a Co-ordinate Bench of this Court, vide order dated 3.7.2018 passed in Cr. Misc. No.36554 of 2018 and another accused Ashish Banerjee from whom there is recovery of Rs.86,000/- has been granted bail by Co-ordinate Bench of this Court, vide order dated 25.6.2018 passed in Cr. Misc. No.33166 of 2018 and another co-accused Jitendra Kumar has been granted bail by a Co-ordinate Bench of this Court, vide order dated 3.7.2018 passed in Cr. Misc. No.33204 of 2018. The petitioner is in custody since 12.2.2018.

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 the learned CJM, Bhagalpur in connection with Kotwali (Tilkamanjhi) P.S. Case No.49 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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