

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2454 of 2019

Arising Out of PS. Case No.-103 Year-2018 Thana- ISHIPUR District- Bhagalpur

Karu Yadav @ Karelal Yadav Avdhesh Yadav Resident of Village - Ishipur,
P.S. - Ishipur Barahat, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shyam Kishor Das
For the Opposite Party/s : Mr.Ashok Kumar (App 220)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 22-01-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection
with Ishipur Barahat P.S. Case No. 103 of 2018 registered for
the offence punishable under Sections 413, 414, 467, 468, 420
and 34 of the Indian Penal Code.

Informant has alleged in his written complaint that on
secret information received by him that petitioner and his son is
involved in sale and purchase of stolen mobile and there is also
a stolen motorcycle kept in his house. Informant raided the
house of petitioner from where nine stolen mobiles was
recovered and also one stolen motorcycle was found kept
outside his door. They could not produce any ownership of those
articles.



It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case at the instance of his enemies. He runs a mobile repairing shop in his house and all the mobiles seized belong to customer which were given to him for repair. The motorcycle was recovered from the outside from his house and he has no concern with the said motorcycles. Petitioner has got two criminal antecedents and he is in custody since 16.09.2018.

Considering the nature of allegation against petitioner, I am not inclined to grant bail to the petitioner. Accordingly the prayer for bail is rejected at this stage.

However, after six months of custody the petitioner would be enlarge on bail by the court below itself on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate VIII, Bhagalpur, in connection with Rail Ishipur Barahat P.S. Case No. 103 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and



sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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