

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8027 of 2019

Arising Out of P.S. Case No.-22 Year-2018 Thana- RAJAOLI District- Nawada

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KRIPAL YADAV @ KUMAR SAGAR @ KRIPAL KUMAR @ KUMAR BOSS(Male) aged about 21 years (Male), son of Krishna Prasad, resident of village-Dhurgauwan, P.S. Rajauli, District-Nawada

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma, Advocate

For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-02-2019 Heard the learned counsel for the petitioner and

learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since 13.08.2018 in connection with Rajouli P.S.Case No.22 of 2018 for the offence alleged under Section 406 of the Indian Penal Code.

The prosecution case as lodged by the informant is that while his vehicle had unloaded and was being taken by the driver Braj Kishore Yadav, it was informed by the driver that some miscreants had snatched the said vehicle.

It has been submitted by the learned counsel for the petitioner that he is innocent, not named in the FIR and his name surfaced only on the basis of the confessional statement of



the petitioner before the police in another case being Rajauli P.S.Case No.118 of 2018 in which the petitioner has already been granted the privilege of bail by a coordinate Bench of this Court in Cr.Misc.No.43968 of 2018 vide order dated 20.07.2018. He further submits that the alleged truck has not been found in his possession and chargesheet has already been submitted, there being no allegation of tampering of the prosecution witnesses.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not bear a clean antecedent and is involved in one more case of similar nature.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Rajouli P.S.Case No.22 of 2018 to the satisfaction of learned Chief Judicial Magistrate, Nawada, 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) 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)

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