

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14656 of 2019

Arising Out of PS. Case No.-888 Year-2018 Thana- NAWADA District- Nawada

AMAN KUMAR YADAV, aged about 40 years, Male, Son of Late Madan Yadav, Resident of Village - Naya Tola, Jurabganj, P.S.- Kordha, Distt – Katihar

... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr. Uma Shankar Prasad Singh, Adv.

For the Opposite Party : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 12-03-2019

Heard the learned counsel for the petitioner and the learned counsel appearing for the State.

The petitioner is languishing in judicial custody since 05.12.2018 in connection with Nawada (Town) P.S. Case No. 888 of 2018 for the offence alleged under Section 393 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that while he had taken out money from the State Bank of India amounting to Rs.2,50,000/- and was in his way on motorcycle and stopped for natural call, one young boy snatched five bundles of rupees five hundred denomination and fled away, but, was apprehended, threw the money on the road and revealed his name.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that nothing has been recovered from his conscious possession and the allegation, made by the informant, is false and baseless. Petitioner undertakes to cooperate in the investigation and not to induce or tamper with the prosecution witnesses.



However, the learned Additional Public Prosecutor for the State opposes the prayer for bail stating therein that the petitioner does not have clean antecedent and one more case of similar nature is pending against him.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail, **on completion of four months in custody**, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Nawada (Town) P.S. Case No. 888 of 2018 to the satisfaction of the 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)

Shamshad/-

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