

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29424 of 2019

Arising Out of PS. Case No.-399 Year-2018 Thana- CHANDI District- Nalanda

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LALU KUMAR @ LALU YADAV S/o Dev Nandan Gope @ Dev Nandan Prasad Resident of Village- Harnaut, P.S.- Harnaut, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satya Prakash

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-05-2019 Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since 14.12.2018 in connection with Chandi P.S. Case No. 399 of 2018 for offences punishable under Sections 406 and 392 of the Indian Penal Code.

The prosecution case as lodged by the informant is that he is a State Manager of C. Dot Company who takes deposits from local villagers. While the informant along with the loan manager Nitish Kumar was on way after collection of 184410/-, three miscreants in a T.V.S. motorcycle intercepted and on pistol point snatched away the bag but the motorcycle met with an accident and the petitioner was recognized who had a tea gumti in the said village and with connivance of the loan



manager Nitish Kumar, the said incident took place occurred.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and it is only on the confessional statement of co-accused Nitish Kumar that he has been made accused in the present case. It is submitted that co-accused Nitish Kumar has already been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 11084 of 2019 dated 01.04.2019.

However, learned APP for the State opposes the prayer for bail stating therein that some money and mobile was recovered from the house of the petitioner.

Considering the nature of allegations and that petitioner does not bear any criminal antecedent, let the petitioner above named be enlarged on bail on completion of six months in custody on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Chandi P.S. Case No. 399 of 2018, subject to the conditions:-

(1) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.



(2) The 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.

(3) 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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