

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34790 of 2019

Arising Out of PS. Case No.-364 Year-2018 Thana- SONO District- Jamui

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BABULAL KUMAR YADAV @ BABULAL YADAV, aged about 26 years,
Male, Son of Kameshwar Yadav Resident of Village - Belchadi Sasan Beria,
P.S.- Nirsa, Distt - Dhanbad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Akash Raj, Advocate

For the Opposite Party/s : Mr.Ram Sumiran Rai

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-05-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 379 and
411 of the Indian Penal Code.

The prosecution case in brief is that during patrolling,
the police saw two persons who were engaged in throwing ring
wire from a truck bearing registration No.WB-37B/7121 and
after seeing the police party one of the accused fled away and
one Kundan Manjhi who was a cleaner of the truck was arrested
on the spot.

The contention of the petitioner is that petitioner is
not named in the FIR and the name of the petitioner has come
on the basis of confessional statement of the co-accused. It is



further submitted that neither the owner of the truck nor the transporter has made any complaint regarding theft of ring wire. Moreover, co-accused Kundan Manjhi has already been granted regular bail by this Court in Cr.Misc.No.9466 of 2019 dated 19.02.2019 and the case of the petitioner stands on better footing. Petitioner has got clean antecedent.

Considering the facts aforesaid, let the petitioner above named, in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st, Jamui/successor Court in connection with Sono P.S. Case No. 364 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Prabhat Kumar Singh, J)

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