

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2658 of 2019

Arising Out of PS. Case No.-491 Year-2018 Thana- JAYNAGAR District- Madhubani

Raju Yadav, Son of Biru Yadav @ Veeru Yadav, Resident of Village -Laxipur
P.S.-Jaynagar, Dist.-Madhubani

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav, Adv.

For the Opposite Party/s : Mr.Parmanand Prasad(App116)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 01-02-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Jai Nagar P.S. Case No. 491 of 2018
registered for the offences punishable under Sections 414, 34 of
the Indian Penal Code.

Informant who is a police officer has stated in his
complaint that he received a secret information that petitioner
along with his associates have assembled at Bela Bandh to
commit crime and has also sold a stolen motorcycle to Subhak
Kumar Yadav, thereafter he along with other police personnel
reached the place and on seeing police party they tried to flee
away but petitioner was apprehended and confessed before the
police that he has sold a stolen motorcycle to Subhak Kumar
Yadav for Rs. 5,000/-.

It has been submitted on behalf of the petitioner



that he is innocent and has committed no offence. He has been falsely implicated in this case on the basis of suspicion. No incriminating article has been recovered from the possession or house of the petitioner. Similarly placed co-accused has been granted bail by co-ordinate bench of this court passed in Cr. Misc. No. 66716 of 2018 vide order dated 22.11.2018. Petitioner has no criminal antecedent and is in custody since 02.09.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M, Madhubani, in connection with Jai Nagar P.S. Case No. 491 of 2018, subject to conditions:

- (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 properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (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)

Rajiv/-

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