

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1669 of 2019

Arising Out of PS. Case No.-376 Year-2018 Thana- DURGAWATI District- Bhabhua
(Kaimur)

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Yogendra Kumar Gupta , S/o Late Lalu Prasad Gupta @ Lallu Prasad Gupta,
R/o. Village Pakdhrihar, P.S. Mohania, district- Kaimur at Bhabhu.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Jha, Adv.

For the Opposite Party/s : Mr.Sri Ram Priya Saran Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 18-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Durgawati P.S. Case No. 376 of 2018
registered for the offences punishable under Sections 120(B),
379, 384, 385 and 44 of the Indian Penal Code.

Informant has alleged in her written complaint that
while he along with his friend were returning from Banaras,
meanwhile they were stopped by police officer and stated that
they were drunk, so they were tested by Breadth Analyzer. On
being found positive report petitioner demanded bribe from
the informant thereafter they gave Rs. 2600/- and two mobile to
the petitioner but petitioner demanded Rs. 20,000/- more.

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. Petitioner is the driver of Bolero which has been taken on hire by the Excise Office. Petitioner has no criminal antecedent and is in custody since 03.11.2018.

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 Additional Sessions Judge 1st, Kaimur at Bhabua, in connection with Durgawati P.S. Case No. 376 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)

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