

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20615 of 2020

Arising Out of PS. Case No.-128 Year-2017 Thana- DARAUNDA District- Siwan

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SATENDRA YADAV Son of Krishna Yadav Resident of Village - Chand
Parsa, P.S.- Daraunda, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr. J.N. Thakur

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-07-2020 The matter has been taken up through virtual

Court proceeding.

Since the physical court proceeding is non-

functional due to the present pandemic COVID-19, the

matter is listed with defects.

Learned counsel for the petitioner is expected

to remove the defects within three weeks of the

resumption of the physical Court proceedings.

In case of non-removal of the defects, the

office shall place the matter before the bench.



None appears on behalf of the petitioner.
However, learned A.P.P. for the State is present.

The petitioner is languishing in custody since 09.12.2019 in a case registered for the offence punishable under Sections 395, 397 of the Indian Penal Code.

The prosecution case as per the written report of Ramadhar Giri, submitted to the S.H.O, Daraunda Police Station is to the effect that on 17.07.2017 in the night when the informant was sleeping with his family in his house, six accused persons entered into the house and they overpowered the family members and robbed jewellery, cash of Rs. 53000/- and other articles, leading to registration of the F.I.R against unknown. During investigation, in the confessional statement of co-accused Suraj Manjhi, the name of the petitioner sprang up.

On the pleadings, it appears that there is no recovery from the petitioner. The petitioner has not been



put on T.I. parade and Suraj Manjhi, who named the petitioner, has been granted bail by a Co-ordinate bench of this Court vide order dated 14.11.2017 passed in Cr. Misc. No. 57548 of 2017.

A statement has been made in para 3 of the petition that though petitioner is accused in two other cases but he is on bail in those cases and the investigation has already been concluded.

Learned A.P.P. submits that name of the petitioner sprang up on confession of co-accused persons.

Considering the fact that name of the petitioner sprang up on confession of Suraj Manjhi, who has been granted bail by a Co-ordinate bench of this Court and the investigation being concluded, let the petitioner, above named, be released on bail, for the present, provisionally for a period of three months on furnishing one surety to the satisfaction of learned Additional Chief Judicial Magistrate, 9th, Siwan in connection with



Daraunda P.S. Case No. 128 of 2017.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-Mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs. 10,000/-(ten thousands) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 9th, Siwan in connection with Daraunda P.S. Case No. 128 of 2017.including one surety given at the time of provisional bail.

The learned Court below will be at liberty to further extend the period of provisional bail if the Court proceeding in physical mode will not resume in next



three months.

Accordingly, the present application stands
disposed of.

(Dinesh Kumar Singh, J)

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