

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22824 of 2020

Arising Out of PS. Case No.-51 Year-2017 Thana- GHOSWARI District- Patna

=====

DAIVA YADAV @ DEVA KUMAR @ DIAVA YADAV S/o Kishori Yadav
Resident of Village-Gosaingaon, P.S-Ghoshwari, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sinha

For the Opposite Party/s : Mr.A.G

=====

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 11-09-2020 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Section 392 of the Indian Penal Code.

Informant in his written complaint has alleged that on 06.06.2017 he was coming from Ghoshrama Balughat by Mahindra Tractor loaded with sand and when he reached near Sahari villlage four motorcycle borne miscreants came and on the strength of pistol looted his cash. FIR is against unknown.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on mere suspicion only. Petitioner is not named in the FIR. It has



been submitted on behalf of the petitioner that the name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused Nitish Kumar. Petitioner has not been put on TIP till date. Nothing has been recovered from the conscious possession of petitioner. Petitioner is in custody since 16.01.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Ghoshwari P.S. Case No. 51 of 2017**, with following 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 the Court and his/her absence on two consecutive dates without sufficient reason, his/her 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)

ranjan/-

U			
---	--	--	--

