

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24712 of 2020

Arising Out of PS. Case No.-98 Year-2019 Thana- JADOPUR District- Gopalganj

Dharmendra Yadav, S/o Vidaya Yadav, Resident of Village- Nawada, P.S.-
Yadavpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harendra Prasad, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 24-09-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Jadopur P.S. Case No.98 of 2019 (Trial No.362/20) registered for the offence punishable under Section 414 of the Indian Penal Code.

The allegation is that two stolen motorcycles were recovered from the campus of the petitioner's poultry farm.



It is submitted by the petitioner's counsel that the poultry farm was having access to many persons and therefore, the recovery cannot be attributed to the petitioner. Co-accused Satydeo Yadav and Ramji Mahto against whom there is allegation of recovery of motorcycles, have already been enlarged on bail in Cr.Misc. No.86721 of 2019 and Cr.Misc. No.87073 of 2019, vide orders dated 13.12.2019 and 19.12.2019 respectively. The petitioner is on bail in four other cases pending against him as detailed in paragraph 3 of the bail application. He is in custody since 02.01.2020.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the court of Shri Devendra Prasad, learned First Class Judicial Magistrate, Gopalganj, in connection with Jadopur P.S. Case No.98 of 2019 (Trial No.362/20), subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an



affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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