

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23074 of 2020

Arising Out of PS. Case No.-70 Year-2019 Thana- KORANSARAI District- Buxar

BHIKHARI YADAV @ DEEPU Son of Mahesh Yadav Resident of Village -
Purwan, P.S.- Brahmpur, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar, Advocate
For the Opposite Party/s	:	Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 15-10-2020 Heard Mr. Sunil Kumar, learned counsel for the
petitioner and Mr. Dashrath Mehta, learned Additional Public
Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Koran
Sarai P.S. Case No. 70 of 2019 registered for the offence under
Section 392 of the I.P.C.

The prosecution story as per the First Information
Report is that on 16.08.2019 at about 4.15 P.M. while the
informant along with one another person was returning from
S.B.I. Koran Sarai Branch with Rs. 2,27,000/-, he was accosted
by two motorcycle borne four miscreants, who snatched the
amount of Rs. 2,27,000/- and two mobile phones from the
pocket of the informant.

Learned counsel for the petitioner submits that
petitioner has not committed any offence in the manner alleged
and he has only been implicated in this case on the basis of the
confessional statement made by the co-accused Maksud
Mansoori. Learned counsel further submits that Maksud
Mansoori has been granted bail by this court in Cr. Misc. No.



17953 of 2020 and two other accused, whose name was disclosed in the confessional statement of Maksud Mansoori namely, Rinku Yadav and Deepak Koeri @ Deepak Kumar have been granted bail by different co-ordinate Benches of this court in Cr. Misc. Nos. 25226 of 2020 and 21257 of 2020 respectively. Learned counsel further submits that Rinku Yadav was also having criminal antecedent of eight cases. Learned counsel also submits that no incriminating material has been seized from the possession of the petitioner and the petitioner has not been put on T.I.P. up till now inasmuch as he is in custody since 29.01.2020.

Having heard learned counsel for the parties and taking into consideration the materials available on record and the fact that similarly situated accused persons have been granted bail by this court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, court no. II, Buxar / court concerned in connection with Koran Sarai P.S. Case No. 70 of 2019 on the 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 in case of his absence on two consecutive dates without sufficient reason, 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.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding lockdown and social distancing.

praful/-

(Anil Kumar Sinha, J)

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