

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28443 of 2020

Arising Out of PS. Case No.-244 Year-2020 Thana- BRAHMPUR District- Buxar

RAJA YADAV, aged about 25 years, Son of Shiv jee Yadav Resident of
Village- Chakki, Mathura- Dera, P.S.- Brahmpur, District- Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate

For the Opposite Party/s : Mr. Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-11-2020 Heard learned counsel for the petitioner and the State
through Video Conferencing.

The petitioner seeks bail in a case registered for the
offence punishable under section 394 of the Indian Penal Code
and section 27 of the Arms Act.

Informant alleges that on 6.5.2020 at 7 pm when he
was going to his village three unknown miscreants surrounded
him and snatched his purse, mobile phone and motorcycle. In
course of scuffle, they fired at him causing injury in his
stomach. During investigation, police recovered a suspected
SIM.

Learned counsel for the petitioner submits that the
aforesaid SIM is the subject matter of Sanaha No.158/2020
dated 9.5.2020 and the same is not related to the instant case and
has been recovered from Smriti Devi, sister of the petitioner. No
incriminating material has been recovered from the possession
of the petitioner rather the motorcycle in question has been
recovered from one Durgesh Singh. Petitioner has got no
criminal antecedent and he is in custody since 30.5.2020.



In the facts of the case, prayer for bail of the petitioner is allowed. Let the petitioner mentioned above be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Buxar in Brahmpur Police Station Case No. 244/2020 on the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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