

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28328 of 2020

Arising Out of PS. Case No.-926 Year-2019 Thana- SAHARSA District- Saharsa

1. Sudhir Kumar Yadav @ Sudhir Yadav, Son of Rajendra Yadav, Resident of Village - Bariyahi (Basti), P.S.- Bangaon, District - Saharsa.
2. Munna Yadav, Son of Shambhu Yadav @ Shambhu Prasad Yadav, Resident of Village - Bariyahi (Basti), P.S.- Bangaon, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 14-12-2020 Heard learned counsel for the parties through Video Conferencing.

Petitioners seek bail in a case registered for the offence punishable under Section 395 of Indian Penal Code.

As per the prosecution case, on 16.10.2019, 7 to 8 miscreants armed with fire arms entered into the shop of the informant and, on the point of pistol, looted cash of Rs. 3,00,000/- (Rupees Three Lakh) from cash box and as a result of firing, one Md. Abdul sustained injury. However, on chase, two co-accused, namely, Ranjan Yadav and Vijay Thakur were arrested on the spot, who disclosed the name of the petitioners.

It is submitted on behalf of the petitioners that name



of the petitioners surfaced on the basis of confessional statement of co-accused who was apprehended at the spot. Petitioner No.1 has got criminal antecedent, he is accused in two more cases in which he is on bail. So far as, Petitioner No.2 is concerned, he is accused in 5 more cases and in one of the case he is already acquitted and in other cases he is on bail. It is further submitted that other similarly situated co-accused persons have already granted bail by this Hon'ble Court vide Annexure-2. Petitioner No.1 is in custody since 04.11.2019 and Petitioner No.2 is in custody since 03.11.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in Saharsa Sadar Police Station Case No. 926 of 2019, on the following conditions:-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.



(2) If the petitioners tamper 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)

Ankit/-

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