

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28633 of 2020

Arising Out of PS. Case No.-312 Year-2019 Thana- WARISLIGANJ District- Nawada

VISHWAJEET YADAV S/o Ramswaroop Yadav R/o Village- Agaiya, P.S.-
Sanokhar, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-11-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State through virtual court
proceedings.

Since the physical court proceeding is non-functional,
due to present pandemic COVID-19, the matter is listed with
defects.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks of resumption of physical
court proceeding. In the eventuality of non-removal of defects
within undertaken period, the office will place the matter before
the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Section 395 of the Indian Penal Code.

The prosecution case is that on 16.09.2019 in the
evening one unknown boy along with his brother came to the



informant and hired his vehicle at the rate of Rs. 1500/- as fare. Thereafter, they proceeded and in that course, two boys acquainted with the said boy also got sitted in the said vehicle and when he reached near Warisaliganj Railway Gumti, a boy also met with an Apachi Motorcycle and after that four boys snatched his vehicle and Mobile of his brother.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. He submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner. He submits that name of the petitioner has come in the present case on the basis of confessional statement of co-accused Golu @ Gopal Kumar. There is no recovery of any incriminating article from the possession of the petitioner. He submits that similarly situated co-accused has been granted bail by coordinate Benches of this Court in Cr. Misc. No. 84466 of 2019 on 19.12.2019 and in Cr. Misc. No. 10302 of 2020 of 01.06.2020.

In the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned



A.C.J.M.-1, Nawada in connection with Warsaliganj Police Station Case No. 312 of 2019 subject to the conditions:

(I) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(II) 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 Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.

(III) 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.

(Anjani Kumar Sharan, J)

devendra/-

U		T	
---	--	---	--

