

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30430 of 2020

Arising Out of PS. Case No.-119 Year-2020 Thana- JAYNAGAR District- Madhubani

Rakesh Yadav, Son of Ram Nath Yadav, Resident of Village- Belhi West Ward
No. 3, P.S.- Jainagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikram Deo Singh, Advocate
For the Opposite Party/s : Mr. Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 22-12-2020 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 Jainagar P.S. Case No.119 of 2020 registered for the offence punishable under Sections 341, 323, 384, 386, 504, 506, 34 of the Indian Penal Code.



The informant has alleged that three persons on a motorcycle have stopped his vehicle and demanded some money. One Durgesh Kumar Yadav is alleged to have been apprehended at the place of occurrence.

Petitioner's counsel submits that merely on the statement of co-accused Durgesh Kumar Yadav in police custody, the petitioner has been implicated in this case. Such implication has no evidentiary value. The petitioner has no criminal antecedents and is in custody since 16.04.2020, though even as per the prosecution, no ransom amount has been paid.

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 learned S.D.J.M., Madhubani, in connection with Jainagar P.S. Case No.119 of 2020, 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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