

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62618 of 2019

Arising Out of PS. Case No.-527 Year-2017 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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KUNDAN YADAV, aged about 40 years (Male), Son of Shri Suraj Yadav,
Resident of Village- Marwa Asthan, Maheshpur, P.S.- Babarganj, District-
Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Brij Nandad Prasad, Advocate.
For the Opposite Party : Mr.Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 03-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offences under Section 395 of the I.P.C. Later on, Section 397 of
the I.P.C. was also added.

The prosecution case, in short, is that the informant
being the retired person residing with his daughter and on



17.08.2017 at about 3.30 P.M. 5-6 persons entered into the house and assaulted him and his wife and on the point of pistol they took the ornaments, cash of Rs. 40,000/-, and the Mobile.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 03.10.2018. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. His name has come in the present case on the basis of confessional statement of co-accused Saurav Sah @ Kendu Sah. The petitioner has not been put on T.I. Parade. There is no recovery of any incriminating article from possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioner, above named, is directed to be released on bail on his personal bond to the satisfaction of learned 7th Additional District and Sessions Judge, Bhagalpur in connection with Sessions Trial No. 364 of 2019 (corresponding to Kotwali (Tilkamanjhi) P.S. Case No. 527 of 2017).

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of four



weeks to the satisfaction of the court concerned in connection
with the aforesaid case.

(Sudhir Singh, J)

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