

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12151 of 2021**

Arising Out of PS. Case No.-6 Year-2020 Thana- MEHANDIA District- Jehanabad

BHUSAN YADAV @ CHANDRA BHUSAN YADAV aged about 35 years
Son of Shobhan Yadav Resident of Village - Kasauti Tola Jagmohan Bigha,
P.S.- Karpi, Dist.- Arwal

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Binod Kumar A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 06-07-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 395 of the Indian Penal Code.

As per the prosecution case, in the night at about 12 PM 8 to 10 unknown miscreants, armed with rifle, pistol and garasa entered the house of the informant, and closed the informant and his wife in a room and looted ornaments worth Rs.1.60 lacs and mobile phones.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. Petitioner's name has been figured during course of investigation in confessional statement of co-accused. No incriminating material has been recovered from the conscious possession of the petitioner. Test Identification Parade has not been carried out till date. Investigation is complete. Petitioner is in custody since 20.8.2020.

Considering the facts and circumstances of the case and the fact that no incriminating material has been recovered from the conscious possession of the petitioner, 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 the Chief Judicial Magistrate, Arwal in Mehandia Police Station Case No. 06 of 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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