

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12297 of 2021

Arising Out of PS. Case No.-54 Year-2019 Thana- BELHAR District- Banka

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DASARATH YADAV Son of Lakhan Yadav Resident of Village - Badla, P.S.-
Belhar, Dist.- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr.A.P.P

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-06-2021 This matter is taken up for consideration through Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of bail in a case registered for the offence punishable under sections 384, 506/34 of the Indian Penal Code and 27 of the Arms Act.

As per prosecution case, on 03.03.2019 at 2.30 p.m. four persons boarded on two motorcycles went at the place of occurrence and snatched mobiles of driver and assistant driver of the company and after firing they fled away. It is further alleged that on the next dated i.e. 04.03.2019 at 4.28 p.m. mobile call was received by supervisor in which demand of ransom was made and threatened not to start work till payment of Rangdari was made.

Petitioner is not named in the FIR and name of petitioner has come on the basis of confessional statement of co-accused



Singho Yadav. Till date no test identification parade is held. No incriminating article has been recovered. Petitioner is in jail custody since 15.03.2019. Petitioner has been made accused on suspicion and save and except suspicion, there is no cogent material against the petitioner to connect him with the alleged crime.

Considering the period of custody of the petitioner, this bail application is allowed. Let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Banka in Belhar P.S. Case no. 54/2019 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 canceled 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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