

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.14557 of 2021**

Arising Out of PS. Case No.-13 Year-2020 Thana- BANDEYA District- Aurangabad

RANVIJAY KUMAR @ BHULETAN YADAV S/O Late Balchand Yadav
R/O Village Buxar Tola Panchanan Bigha, P.S. Bandeya, District -
Aurangabad.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar,Advocate

For the Opposite Party/s : Mr.Rajesh Kumar,APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 23-06-2021 Learned counsel for the petitioner undertakes to

remove all the defects pointed out by the Stamp Reporter within

four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Rajesh Kumar, learned APP for the State.

The petitioner in the present case is seeking regular
bail in connection with Bandeya P.S. Case No. 13 of 2020
registered for the offences punishable under Section 392 of the
Indian Penal Code.

Learned counsel for the petitioner submits that as per
the prosecution story, while the informant after withdrawing
money from the ATM was going to his village, four person on
two motorcycles surrounded him and snatched the money and
cash.



Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner is not named in the FIR, he is co-villager of the informant but the informant did not identify him. The petitioner is in custody since 02.07.2020 having no criminal antecedent.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Having regard to the facts and circumstances of the case wherein learned counsel for the petitioner has submitted that this petitioner is not named in the FIR, he is a co-villager of the informant but informant did not identify him, the name of the petitioner has transpired on mere suspicion as liner on the basis that his mobile phone location was coming in the same area, the submission being that the petitioner is in custody since 02.07.2020, he has never been identified and no incriminating article has been recovered from the possession of the petitioner, the petitioner has no criminal antecedent, investigation against him is complete but the trial is not likely to be concluded in near future and further submission that the recovery of a sum of Rs.15,000/- and a mobile phone from the house of the petitioner is nothing but a mere pretext as the such money is always



available in a household, considering all these aspects of the matter, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Daudgagar, Aurangabad in connection with Bandeya P.S. Case No. 13 of 2020, subject to the conditions as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which is suspected, and

(c) that such persons shall not directly or indirectly make and inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During the Pandemic Period'.

