

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19938 of 2021**

Arising Out of PS. Case No.-455 Year-2019 Thana- JAYNAGAR District- Madhubani

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ARVIND KUMAR YADAV Son of Devnarayan Yadav, Resident of Village-
Chapradhi, P.S.- Khajauli, District- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No.1, APP

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 31-08-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual Court proceedings.

Learned counsel for the petitioner undertakes to
remove the defects as pointed out by the office within four
weeks of normal functioning of the court, failing which the
office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 384, 506, 34 of the Indian
Penal Code.

Allegation against the petitioner alongwith other
accused persons is said to have demanded the ransom of rupees
two lac, if the said demand will not fulfill then accused persons
will kill the informant.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is not named in the FIR. On the basis of confessional statement of co-accused, namely, Dinesh Yadav, the petitioner has been made accused in this case. There is no any incriminating articles has been recovered from the conscious possession of the petitioner or the house of the petitioner. There is no T.I. Parade till date. The petitioner is languishing in judicial custody since 13.03.2020. The petitioner has got 04 criminal antecedents which is mentioned in para 3 of the bail petition. The similarly situated co-accused, namely, Dinesh Yadav has been granted bail by the learned court below itself.

Learned APP for the State vehemently opposed the prayer for bail application.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Jainagar P.S. Case No. 455/2019 to the satisfaction of learned Court below where the case is pending/ successor Court; subject to the following conditions:

- (1) that one of the bailors will be a close relative



of the petitioner, who will be given an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) that the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(3) that the petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates his bail bond will be liable to be cancelled.

(4) that the petitioner shall co-operate with the investigation, if not already concluded and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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