

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 24112 of 2021**

Arising Out of PS. Case No.-21 Year-2018 Thana- KATORIYA District- Banka

Jaikant Yadav @ Shreekant Yadav, Male, age- 34 years, Son of Basudeo Yadav, Residence of Village- Dullidih, P.S.- Katoriya, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

2 24-11-2021 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

The petitioner seeks regular bail in connection with Katoriya P.S. Case No. 21 of 2018 registered for offence punishable under Section 394 of the Indian Penal Code.

The prosecution case in brief is that the informant along with his two brothers were returning to their house after closing their shop. In the meantime, four persons including the petitioner, robbed Rs. 15,000/- cash from the pocket of the informant. It is further alleged that one mobile phone which belongs to one of accused person, fell down on the ground and the same was handed over to the police. The name of the petitioner sprang up on the confessional statement of the co-accused, Pappu Kumar Yadav @ Rakesh Kumar. It was



submitted on behalf of the petitioner that the said Pappu Kumar Yadav @ Rakesh Kumar, on whose confessional statement name of the petitioner has been roped in the present case has already been released on bail vide order dated 26.10.2018 passed in Cr. Misc. No. 64331 of 2018 by this Court. He further submits that other two co-accused whose name appear in the FIR namely Bhavesh Yadav @ Bhavesh Kumar Yadav and Vikash Kumar Yadav have also been released on bail vide Cr. Misc. No. 11995 of 2019 dated 27.02.2019 and Cr. Misc. No. 20744 of 2020, dated 12.10.2020. Learned counsel for the petitioner submits that he has clean antecedent and as such there is no involvement of this petitioner in the present case and he be released on bail.

Learned APP opposes the prayer for bail.

Considering the facts and circumstances of the case, perusal of the FIR, name of the petitioner sprang up on the confessional statement of the co-accused, Pappu Kumar Yadav @ Rakesh Kumar and there is no involvement in the present case, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with



Katoriya P.S. Case No. 21 of 2018, subject to following conditions:

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Purnendu Singh, J.)

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