

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28700 of 2021**

Arising Out of PS. Case No.-380 Year-2019 Thana- CHHAURADANO District- East
Champaran

SIKANDAR YADAV S/O BINDA RAI R/o village- Murli, P.S.-
Chhauradano, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

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

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

2 09-08-2021 This matter is taken up for consideration through
Video Conferencing.

Heard both parties.

The petitioner seeks bail in Chhauradano (Mahuawa)
P.S. Case No. 380 of 2019, registered for the offence punishable
under Section 392 of the Indian Penal Code.

As per the prosecution case, three miscreants on the
point of pistol looted away cash of Rs. 1,30,000/-, mobile
phone, Adhar card, ATM card etc. from possession of the
informant while he was going on motorcycle.

It is submitted on behalf of the petitioner that
petitioner has falsely been implicated in this case. Petitioner is
not named in the FIR. No incriminating article has been
recovered from possession of this petitioner and he has been



made accused in this case only on the basis of his confession before the police recorded in Darpa PS Case No. 123 of 2019. No test identification parade has been held till date. Petitioner has been remanded in this case on 09.01.2020. Chargesheet has already been submitted.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to 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 learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Chhauradano (Mahuawa) P.S. Case No. 380 of 2019, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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