

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30675 of 2021

Arising Out of PS. Case No.-399 Year-2020 Thana- DAUDNAGAR District- Aurangabad

BHOLA YADAV Son of Laxman Yadav Resident of Village - Sikariyan, P.S. -
Nasriganj, District - Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 09-12-2021 Heard the learned counsel appearing for the petitioner
and learned APP appearing for the State.

The petitioner seeks regular bail in connection with
Daud Nagar P.S. Case No. 399 of 2020 for the offence
punishable under Sections 399/402/414 of the Indian Penal
Code and sections 25(1-b)a/26 of Arms Act.

The allegation is regarding an abandoned bolero
vehicle having been seized by the police which is stated to have
been stolen by unknown miscreants, who had managed to
escape and from the same, huge sum of cash money was
recovered apart from recovery of a country made pistol.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case, and he is languishing in custody since 23.12.2020.



It is also submitted that only on account of the bad antecedent of the petitioner, the petitioner has been roped in the present case and that too on the basis of confessional statement of the co-accused person namely Ravi Yadav. It is submitted that the petitioner is ready and willing to abide by such other conditions as may be deemed fit and proper to be imposed by the Court for the purposes of grant of bail.

Per contra, the learned APP appearing for the State has vehemently opposed the prayer for regular bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the fact that neither the petitioner was arrested from the spot nor any test identification parade has been held so as to connect the petitioner with the alleged crime, apart from the fact that no recovery has been made from the petitioner, I deem it fit and proper to direct for release of the petitioner on regular bail, however subject to certain conditions.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the



satisfaction of learned A.C.J.M., Aurangabad in connection with
Daud Nagar P.S. Case No.399 of 2020.

It is further directed that the petitioner would mark his
attendance, immediately upon being released from custody,
before the S.H.O. of the concerned police station at 10:00 A.M.
on each and every Monday of the week and in the event of his
failure on two consecutive occasions to mark his attendance, the
present privilege of bail being extended to the petitioner, shall
stand revoked automatically and the petitioner shall be taken
into custody forthwith.

(Mohit Kumar Shah, J)

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