

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34903 of 2021

Arising Out of PS. Case No.-104 Year-2019 Thana- KHAGAUL District- Patna

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ROHIT KUMAR @ ROHIT YADAV Son of Anil Kumar Yadav @ Anil
Yadav Resident of Village - Ranipur Paijawa, P.S.- Bypass, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Ramchandra Sahni, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-09-2021 This matter is taken up for consideration through
Video Conferencing.

Heard both parties.

The petitioner seeks bail in Khagaul P.S. Case No.
104 of 2019, registered for the offence punishable under
Sections 394/34 of the Indian Penal Code.

As per the prosecution case, while the informant was
returning home, on the way, three miscreants boarded on one
motorcycle intercepted him, assaulted and took away his mobile
phone.

It is submitted on behalf of the petitioner that
petitioner is not named in the FIR. During course of
investigation, name of this petitioner has come in this case on
the confessional statement of co-accused Bam Veer Yadav. No



incriminating article has been recovered from possession of this petitioner. No test identification parade has been held till date. Similarly situated co-accused has been granted bail by this Court vide order dated 26.09.2019 passed in Cr. Misc. No. 56360 of 2019. Petitioner is in custody since 11.01.2021. Investigation is complete.

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 Additional Chief Judicial Magistrate Vth, Danapur, Patna in connection with Khagaul P.S. Case No. 104 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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