

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23901 of 2020**

Arising Out of PS. Case No.-314 Year-2019 Thana- SAHEBPUR KAMAL District-
Begusarai

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Krishna Kumar @ Kirandeo Yadav, aged about 29 years Son of Domi Yadav
@ Domi Prasad Yadav Resident of Village- Chharapatti, P.S.- Sahebpur
Kamal, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal, Adv.

For the Opposite Party/s : Mr. Vinod Shankar Modi, APP

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

5 08-04-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in
connection with Sahebpur Kamal P.S. Case No. 314 of 2019
registered for offences under sections 392 of the Indian Penal
Code.

In the present case, an allegation has been made by
the Informant that he had purchased a Bolera Pickup Van
bearing Registration No. BR-10LA-3961 and on 24.10.2019, he
was going to Bhagalpur to the office of D.T.O. for transfer of
the certificate in his name. On the same day at Mudapur
(Bihpur), he loaded banana in his vehicle and moved towards
Begusarai. At about 10 PM near Sahebpur Kamal police station



at the point of NH 31 Dhala, he stopped the vehicle for check-up, when he got down from the vehicle and was examining the status of the same, four accused persons on three motorcycle came there and started to assault him and also snatched mobile including purse containing Rs. 8,000/-. Thereafter, One of the accused person started the pick-up van and moved towards Ballia and the rest of three accused persons followed the pick-up van on their motorcycle. The Informant has given the details of the mobile numbers and has also narrated that the accused persons were 25-30 years of age and were well dressed but, he could not identify them on account of darkness. Out of four accused persons, three persons were wearing red scarf and claimed that the accused persons looted him and took away his pick-up van.

The petitioner is carrying criminal antecedent of five criminal cases over his head and is languishing in judicial custody for more than one year.

Looking to the period of custody as also considering the entire facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Begusarai in connection with Sahebpur Kamal P.S. Case No. 314 of 2019, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds and (iv) the petitioner will report to the Sahebpur Kamal police station by 7th of every month for at least one year and in case of failure without any valid rhyme or reason, the bail of the petitioner will be treated to have been canceled.

(Shivaji Pandey, J)

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