

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38358 of 2021

Arising Out of PS. Case No.-47 Year-2020 Thana- LAUKAHI District- Madhubani

Shambhu Yadav @ Shambhu Kumar Yadav @ Shambhu Kumar aged about
22 years S/O Late Ghuran Yadav @ Ghuran Prasad Yadav R/o village- Goth
Narahiya, P.S.- Laukahi, District- Madhubani Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Kumari Shubham, Advocate

For the Opposite Party : Mr. AK Singh, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-09-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 379/356 of the Indian Penal Code.

As per the prosecution case, while the informant was returning to his shop after collecting money from other shops, three unknown motorcycle borne miscreants intercepted him. They looted cash Rs. 2,20,000/- and the smart phone from the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Petitioner's name has figured during course of investigation in his own confessional statement recorded in Laukahi Police Station Case No. 140 of 2020. No incriminating material has been recovered from the conscious possession of the petitioner. Test Identification Parade has not been carried out till date. Petitioner is in custody since 1.10.2020. Charge sheet has already been submitted.



Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the petitioner, mentioned above, 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 Sub Divisional Judicial Magistrate, Jhanjharpur, Madhubani in Laukahi Police Station Case No. 47 of 2020/GR No.324 of 2020 on the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

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