

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40965 of 2021

Arising Out of PS. Case No.-137 Year-2021 Thana- DARAUNDA District- Siwan

Monu Kumar @ Monu Kumar Yadav @ Abhimanyu Kumar Yadav Son of
Dinesh Yadav Resident of village - Nanda Tola, Marasara, P.S.- Daraundha,
Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Mohan Singh
For the Opposite Party/s : Mr.Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-10-2021 This matter is taken up for consideration through
Video Conferencing.

Heard both parties.

The petitioner seeks bail in Daraundha P.S. Case No.
137 of 2021, registered for the offence punishable under Section
392 of the Indian Penal Code.

As per the prosecution case, while the informant
along with one Vikash Kumar was withdrawing amount of Rs.
3,94,000 from the bank he saw this petitioner who was seating
in the branch. After withdrawing amount when the informant
reached near village Rukundipur, 04 persons riding on 02
motorcycles came and surrounded him, out of them informant
identified one of the miscreants as Raj Kumar Yadav, who
pointed pistol on the chest of informant and all of them snatched
the bag containing the cash.



It is submitted on behalf of the petitioner that petitioner is not named in the FIR. No offence under Section 392 IPC is made out against the petitioner, as he was not amongst the miscreants who snatched the bag of informant. The cash which was recovered from possession of this petitioner belongs to his Fua, who provided him her ATM card to withdraw money for her. Petitioner is in custody since 01.06.2021 having clean antecedent. 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 Chief Judicial Magistrate, Siwan in connection with Daraundha P.S. Case No. 137 of 2021, 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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