

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30503 of 2020

Arising Out of PS. Case No.-162 Year-2019 Thana- SAUR BAZAR District- Saharsa

RANVIR YADAV @ PRIYANSU RAJ S/o Jay Shankar Yadav @ Jatashankar
Yadav R/o Village- Kamaljari, P.S.- Sourbazar (Patarghat), District- Saharsa.
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate
For the Opposite Party/s : Mr.Jagdhari Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 08-01-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

At the outset, Mr. Manoj Kumar, learned counsel for the petitioner submits that inadvertently the one criminal antecedent of the petitioner has not been mentioned in paragraph 3 though he has instruction to say so and he intends to file an affidavit in this regard by Tuesday i.e. 12.01.2021.

Let such affidavit be filed for purpose of completion of the record.

Petitioner in the present case is seeking regular bail in connection with Sourbazar (Patarghat) P.S. Case No. 162 of 2019 registered for the offences punishable under Section 363, 365, 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that as per the first information report the son of the informant had gone to



his Sasural on 20.03.2019 at 6:00 P.M. by a motorcycle but thereafter his mobile phone was coming switched off. The informant raised a suspicion against five named accused including this petitioner but in course of investigation no material has come against the petitioner. The son of the informant was never seen with this petitioner and further that the mobile phone of son of the informant has been shown recovered from the co-accused Anil Kumar. The said Anil Kumar has been granted bail by a learned coordinate Bench of this Court in Cr. Misc. No. 84470/2019.

Mr. Jagdhar Prasad, learned A.P.P. for the State has gone through the case diary but in course of submissions learned A.P.P. is unable to show any material from the diary showing complicity of the petitioner except the fact that the mobile of son of the informant was recovered from the possession of the co-accused Anil Kumar. The Investigating Officer has not found any connection between the Anil Kumar and this petitioner in course of investigation.

Having regard to the facts and circumstances of the case wherein though the petitioner is named in the F.I.R. but in course of investigation no material has been collected against the petitioner, he is in jail since last seven months, investigation



against him is complete and the trial is not likely to be concluded in near future, the co-accused Anil Kuamr and Pintu Yadav @ Sagar have already been granted privilege of regular bail by the learned coordinate Bench of this Court in Cr. Misc. No. 84470/2019 and in Cr. Misc. No. 7376/2020, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Saharsa, in connection with Sourbazar (Patarghat) P.S. Case No. 162 of 2019, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify



the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

And further condition that they will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

