

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 36105 of 2020

Arising Out of PS. Case No.-11 Year-2020 Thana- NARPATGANJ District- Araria

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BINOD YADAV @ BINOD KUMAR YADAV S/O JEEVENDRA YADAV
RESIDENT OF VILLAGE - KANHAILI, P.S. - NARPATGANJ, DISTRICT
- ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Anil Prasad Singh, Advocate
For the Opposite Party/s : Mr Md Sufyan, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 08-02-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Narpatganj Police Station
(for brevity, *PS*) Case No 11 of 2020 instituted for the offence
punishable under Section 392 of Indian Penal Code.

The informant has alleged that while he was moving
on motorcycle, three persons have stopped him and taken away
the key of his motorcycle, mobile phone and some cash.

Learned counsel for the petitioner submits that the
petitioner is not named in the First Information Report and his
implication is on basis of confessional statement of co-accused,
having no evidentiary value. No incriminating article has been
recovered from his possession. In respect of three antecedents,



it is submitted that one is at the instance of his agnates, based on land dispute. The second is counterblast to Narpatganj PS Case No 475 of 2018 and in all the three cases, he is on bail. In this case, he is in custody since 20.08.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Araria in Narpatganj PS Case No 11 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as



pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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