

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39255 of 2020

Arising Out of PS. Case No.-412 Year-2020 Thana- SHERGHATI District- Gaya

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Dheeraj Kumar Yadav, Son of Bhola Yadav, Resident of Village- Palhet
Khurd, P.S.- Sherghati, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Mukeshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 02-03-2021 Heard learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks bail in connection with
Sherghati (Dobhi) P.S. Case No.412 of 2020 for the offence
punishable under Section 392 of the Indian Penal Code.

There is an allegation that a tempo has been stolen
and recovery is attributed to the petitioner.

Petitioner's counsel submits that the case diary has
been received, from perusal whereof it is obvious that the
recovery is from a Mechanic who has stated that the same was
being repaired on instructions of the petitioner. His implication
is on basis of the statement of the Mechanic. There is no
recovery, even as per the case diary, from the petitioner. He has
no prior antecedents and is in custody since 24.08.2020.



Learned APP for the State has opposed the prayer for bail. He submits that in the investigation, Mechanic has clearly stated about the petitioner bringing the vehicle for repairs. Registration number was also trashed up.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, 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 the court of learned Additional Chief Judicial Magistrate, Sherghati, Gaya, in connection with Sherghati (Dobhi) P.S. Case No.412 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.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings



regarding supply of the requisite court fee etc. within two weeks
from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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