

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3881 of 2021

Arising Out of PS. Case No.-403 Year-2017 Thana- NATHNAGAR District- Bhagalpur

NIRANJAN YADAV @ NIRANJAN KUMAR S/o Sri Mani Prasad Yadav @
Nunmani R/o Village- Devi Mandap Lane, Chakai Niyamatpur, P.S.- Nath
Nagar, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-06-2021 Heard learned counsel for the petitioner and the State
through virtual mode.

The petitioner seeks bail in a case for the offence
registered under Section 364A and 34 of the Indian Penal Code.

Earlier prayer for bail of the petitioner was rejected vide
Annexure-1 to the present application taking into account that
the victim in his statement recorded under Section 161 Cr.P.C.
before the police named the petitioner.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 04-12-2017. Charge has been
framed in the case and the victim has been examined in course
of the trial. The victim is P.W. 4 and in his deposition, he has
stated that he had neither identified nor named any of the



accused before the police. Similarly, the informant (P.W. 3) has also retracted from his earlier statement made in the FIR. The deposition of witnesses are Annexure-3 to the present application.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, let the petitioner, above named, be released on bail on his personal bond to the satisfaction of learned Additional Sessions Judge-Ist, Bhagalpur in connection with Sessions Trial No. 235 of 2018 arising out of Nath Nagar (Madhusudanpur) P.S. Case No. 403 of 2017.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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