

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3905 of 2021

Arising Out of PS. Case No.-655 Year-2017 Thana- BARACHATTI District- Gaya

=====

BIPIN YADAV Son of Govind Yadav Resident of Village- Dhirajachak, P.S.-
Mohanpur, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
For the Opposite Party/s : Mr. A.G.

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-03-2021 Heard learned counsel for the petitioner and learned A.P.P. for
the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the
defects within four weeks of resumption of normal court proceeding.
In the eventuality of non-removal of defects within undertaken
period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Barachatti
(Mohanpur) P.S. Case No. 655 of 2017 registered for the offence
punishable under Sections 392/34 of the Indian Penal Code.

As per the prosecution case, one Pintu Kumar submitted
before S.H.O. of Mohanpur Police Station that on 18.10.2017, at
about 6.05 P.M. he was returning to his village Dharahra from Bodh
Gaya and when he reached near Musarsabda, two persons on a bike
came from the back side, assaulted him and forcefully took his
motorcycle (C.D. Down) and fled away. He further alleged that
owing to the darkness he could not see the number plate of



motorcycle of the miscreants.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case and the petitioner's name has come in this case on the confessional statement of the co-accused Md. Zishan and he further submits that the co-accused Md. Zishan has been granted bail by a Co-ordinate Bench of this Court in Cr. Misc. 54426 of 2019 dated 25.10.2019.

Learned counsel for the petitioner further submits that no incriminating article has been recovered either from his house or from his conscious physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature and that save and except the said confessional statement, there is nothing against the petitioner in the present case.

The petitioner has got one criminal antecedent and chargesheet has been filed against the petitioner and he has been languishing in custody since 17.08.2021.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Sherghati(Gaya) in connection with Barachatti (Mohanpur) P.S. Case No. 655 of 2017, subject to the following conditions:



(1) 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tempers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

GAURAV S./-

U		T	
---	--	---	--

