

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4224 of 2021

Arising Out of PS. Case No.-196 Year-2020 Thana- BAIRIYA District- West Champaran

Nandlal Yadav aged about 19 years, Gender Male, Son of Lal Babu Yadav
Village- Haat Saraiya, P.S.- Bairiya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar, Adv.

For the Opposite Party/s : Mrs. Rita Verma,APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 16-06-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Bairiya P.S. Case No. 196 of 2020 (G.R. Case No. 2755 of 2020), registered for the offence under Sections 341, 323, 353, 379, 386, 504, 506/34 of the Indian Penal Code.

As per the prosecution case, on 30.04.2020 at about 8 PM, this petitioner alongwith co-accused Pinku Yadav came at the door of the informant and thereafter, it is alleged that after altercation this petitioner snatched Rs. 3,000/- (three thousand) from informant's pocket and threatened to kill him (informant) and his son, if he will not pay Rupees one lakh cash.

It is submitted on behalf of petitioner that petitioner has committed no offence and he has been falsely implicated in this case. Neither there is recovery of any fire-arm nor anybody



has sustained fire-arm injury. It is further submitted that though, alleged occurrence has taken place on 30.04.2020, but F.I.R. has been lodged belatedly on 02.05.2020 and there is no explanation for delay. It is further submitted that though, the petitioner is accused in six more criminal cases, but in all the cases, he is on bail. Investigation is complete and petitioner is in custody since 05.06.2020.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts & circumstances, and delay in lodging the FIR the bail petition of petitioner is allowed. Let the above named petitioner 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 learned Addl. Chief Judicial Magistrate 1st, Bettiah (West Champaran) in connection with Bairiya P.S. Case No. 196 of 2020, corresponding to G.R. No. 2755 of 2020 on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.



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

(Prabhat Kumar Singh, J.)

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