

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2253 of 2021

Arising Out of PS. Case No.-254 Year-2020 Thana- ISLAMPUR District- Nalanda

Naresh Yadav aged about 30 years, (Male) son Bindeshwar Yadav, Resident of village- Barwa Bigha Police Station- Islampur District- Nalanda

... .. Petitioner

Versus

The State of Bihar

... .. Opp Party

Appearance :

For the Petitioner : Mr. Anil Kumar Singh Advocate

For the State : Mr. Narsingh Tanti APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

5 15-07-2021 In view of the sudden resurgence of Covid-19 infection, there is limited functioning of the High Court and, therefore, the matter has been listed today for consideration through virtual mode.

2. Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

3. The matter was taken up on Yesterday when the Court had adjourned the matter in presence of the learned APP. Accordingly, the matter is being taken up today through virtual mode.

4. Heard learned counsel for the petitioner and learned counsel for the State

5. The petitioner seeks bail in Islampur PS Case No. 254 of 2020, instituted for the offence under Sections 457, 380 and 120B of the Indian Penal Code.

6. A tractor has been stolen from the premise of the police station and the said truck was seized in connection with illegal mining work. The petitioner has been identified by the



CC TV camera footage of the police station as being the person who has driven away the tractor.

7. The learned counsel for the petitioner submits that on the very same day the tractor was recovered. Recovery is not from the possession of petitioner. The CCTV camera footage has not been taken into consideration in the investigation. The petitioner is in custody since 26.06.2020 now for more than one year. He is on bail in three other cases pending against him since before. The investigation is complete and charge sheet has been submitted.

8. The learned APP representing the State has opposed the prayer for bail.

9. Considering the rival submissions, 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 learned **ACJM, Hilsa Nalanda**, in connection with **Islampur PS Case No. 254 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.

shyambihari/-

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

(Madhuresh Prasad, J)

