

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4261 of 2021

Arising Out of PS. Case No.-72 Year-2020 Thana- BELA District- Sitamarhi

Saroj Yadav Son of Ramchandra Rai Resident of Village-Hardhaiya, Police
Station- Bela, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K.Agrawal
		Mr.Ashok Kumar Jha
For the Opposite Party/s :		Mr. Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 18-03-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Bela P.S. Case No. 72 of 2020, registered for the offence under Sections 399, 402, 414 of the Indian Penal Code.

As per the prosecution case, on 03.07.2020, on a secret information that some miscreants have assembled to commit a crime near Narga Kuari, a raid was conducted and this petitioner alongwith co-accused Md. Abdul Kalam was apprehended and on search, one knife is alleged to have been recovered from the possession of petitioner.

It is submitted on behalf of petitioner that nothing has been recovered from the possession of the petitioner. The alleged motorcycle has been recovered from the possession of co-accused Md. Kalam and petitioner was simply a pillion rider



and as such, no offence under Section 414 of the I.P.C. is made out. Petitioner has got clean antecedent and he is in custody since 04.07.2020. Chargesheet has already been submitted.

Considering the fact that one knife has been recovered and petitioner has got clean antecedent, the bail application of petitioner is allowed. Let the above named petitioner be enlarged 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 S.D.J.M., Sadar, Sitamarhi in connection with Bela P.S. Case No. 72 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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