

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5810 of 2021

Arising Out of PS. Case No.-9 Year-2020 Thana- NATHNAGAR District- Bhagalpur

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KISHAN YADAV @ GHUTRA @ TARRAN SON OF MAHADEO YADAV
RESIDENT OF VILLAGE- KOUWA KOLE (LAXMAN BAGH), P.S. -
MADHUSUDANPUR, DISTRICT- BHAGALPUR

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Rajive Ranjan Singh, Adv.

For the Opposite Party : Mr. Shakir Ahmad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 15-04-2021 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Section 392 of the Indian Penal Code.

As per prosecution case, while the informant was going to his home by a motorcycle, some unknown persons intercepted him and motorcycle of the informant and rupees ten thousand were snatched by the miscreants.

It has been submitted on behalf of the petitioner that petitioner is not named in the first information report and his name surfaced in confessional statement of co-accused. It has



further been submitted that neither any incriminating article has been recovered from possession of the petitioner nor petitioner has been put on test identification parade. Petitioner is in custody since 14.05.2020.

Petitioner carries criminal antecedent of four cases.

Considering the facts and circumstances of the case as well as nature of allegation levelled against the petitioner, I am not inclined to enlarge the petitioner on bail at this stage. Hence, the prayer for bail of the petitioner is, hereby, rejected.

However, **after framing of charge**, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with Nath Nagar (Madhusudanpur) P.S. Case No. 9 of 2020, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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.



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

(S. Kumar, J)

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