

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7344 of 2021

Arising Out of PS. Case No.-306 Year-2019 Thana- CHAUTHAM District- Khagaria

Bibodh Yadav @ Bibodh Kumar aged about 28 years, male, son of Maheshwar Khirhari, Resident of village- Rampur Alauli, P.S. Alauli, District- Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opp Party

Appearance :

For the Petitioner : Mr. Ram Sumiran Rai Advocate
For the State : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 25-06-2021 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. Heard learned counsel for the petitioner and learned counsel for the State

3. The petitioner seeks bail in Chautham PS Case No. 306 of 2019 GR No. 3724 of 2019, instituted for the offence under Section 395 of the Indian Penal Code.

4. 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.

5. 9 to 10 unknown persons have allegedly snatched motorcycle, mobile phone and golden chain of the informant while he was on way with his friend.

6. The learned counsel for the petitioner submits that he is accused in several cases since before falsely and on basis of



such antecedents, his name has been dragged in this case. There is no recovery of any incriminating material from the petitioner. The other co-accused person, namely, Diwakar Kumar, on whose statements, petitioner's name has transpired in the instant case has already been allowed bail by the learned Court below. The petitioner is in custody since 23.06.2020.

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

8. 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 **Judicial Magistrate 1st Class, Khagaria**, in connection with **Chautham PS Case No. 306 of 2019, GR No. 3724 of 2019**, 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.

(Madhuresh Prasad, J)

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