

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7300 of 2021

Arising Out of PS. Case No.-148 Year-2018 Thana- RAGHOPUR District- Supaul

Pawan Yadav aged about 34Years Male s/o Jahuri Yadav, Resident of village- Laharniya, P S- Triveniganj District-Supaul.

... .. Petitioner

Versus

The State of Bihar

... .. Opp Party

Appearance :

For the Petitioner : Mr. Rama Kant Singh Advocate
For the State : Mr. Braj Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 24-06-2021 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 Raghapur PS Case No. 148 of 2018, instituted for the offence under Sections 413,414,420/34 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. Co-accused Subhash Kumar @ Subash Kumar was caught with stolen motorcycle. Petitioner's implication is on basis of statements of said co-accused Subhash Kumar @ Subash Kumar.

6. The learned counsel for the petitioner submits that the



implication of the petitioner has not led to recovery of any incriminating material from his possession. Other than the statement of co-accused having no evidentiary value, there is no basis for the petitioner's implication in this case. The petitioner is in custody since 27.09.2019. Co-accused Subhash Kumar @ Subash Kumar, on whose statements, the petitioner has been implicated has been allowed bail in Cr. Misc. No. 1952 of 2019.

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 ACJM Birpur, Supaul, in connection with Raghapur PS Case No. 148 of 2018, 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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