

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7346 of 2021

Arising Out of PS. Case No.-926 Year-2019 Thana- SAHARSA District- Saharsa

Ranjan Yadav, Male aged about 32 years, Son of Nirash Yadav, Resident of Village- Jhara, P.S. Mahishi, District-Saharsa.

... .. Petitioner

Versus

The State of Bihar

... .. Opp Party

Appearance :

For the Petitioner : Mr. Pramod Mishra, 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 Saharsa Sadar PS Case No. 926 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. A dacoity has allegedly been committed in the shop of the informant. It is alleged that the instant petitioner and one more co-accused, namely Vijay Thakur were apprehended who disclosed the names of their associates.

6. The learned counsel for the petitioner submits that it is



a case of mistaken identity. The petitioner has no connection with the occurrence in-question. There is no recovery of any incriminating material to show the petitioner's connection with the occurrence in-question. Co-accused persons, namely, Pramod Kumar Yadav and Bhavesh Kumar @ Bhavesh Sutihar @ Bhavesh Kumar Sutihar have been allowed bail in Cr. Misc. No. 4486 of 2020 and Cr. Misc. no. 9400 of 2020. Though there is allegation that the perpetrators were having fire arm; no injury has been sustained by any persons. The petitioner is in custody since 13.12.2019. He is on bail in other two cases pending against him since before.

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 **Chief Judicial Magistrate Saharsa**, in connection with **Saharsa Sadar PS Case No. 926 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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