

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7755 of 2021

Arising Out of PS. Case No.-89 Year-2020 Thana- LODIPUR District- Bhagalpur

RAJ KUMAR YADAV Son of Late Ramdeo Yadav Resident of Village-
Dandabazar, P.S.- Goradiah, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-06-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Lodipur P.S. Case No.89 of 2020 registered for the offence punishable under Sections 392, 395, 412 of the Indian Penal Code.

The prosecution case, in short is that some miscreants have looted the mobile and money from a truck driver near Jhamshi High School after assaulting him.

It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and has been falsely implicated in the present case due to high handness of the police official. No such occurrence as alleged ever took place. He is neither named in the F.I.R. nor was apprehended on the spot. No incriminating article has been recovered from his conscious physical possession. The name of petitioner transpired in the case only on the confessional statement of the co-accused Arun Dom. Till date no T.I. Parade has been conducted. Similarly situated co-accused Arun Dom and Gyani Kumar, have been enlarged on regular bail vide Cr. Misc. No.6147 of 2021 and Cr. Misc. No. 43 of 2021 respectively by co-ordinate Bench of this Court. The petitioner has one criminal antecedent and has been languishing in custody since 23.06.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhagalpur in connection with Lodipur P.S. Case No.89 of 2020, subject to the following conditions:

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is



relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(3) The petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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