

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6144 of 2022

Arising Out of PS. Case No.-927 Year-2020 Thana- MADHEPURA District- Madhepura

Rauki Yadav S/o Late Narayan Yadav Resident of Naya Tola Ward No.1,
Jorabganj, P.S.- Kodha, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivam, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, App

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 13-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within four
weeks from today.

The petitioner seeks regular bail in connection with
Madhepura P.S. Case No. 927 of 2020 instituted for the offences
punishable under Sections 379 and 356 of the Indian Penal
Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 07.08.2021, charge-sheet has been
submitted in the case and has antecedent of 14 cases.

Learned counsel for the petitioner submits that
petitioner was arrested in Saharsa P.S. Case No. 63 of 2021 and
thereafter, he was remanded in all the other 14 cases which were
against unknown and, thus, antecedent of 14 cases was created.



The informant alleges that he was intercepted by two unknown criminals who snatched his bag and 50,000/- along with other articles as written in the F.I.R.

Learned counsel for the petitioner submits that the F.I.R. was against unknown and the petitioner was arrested in Saharsa P.S. Case No. 63 of 2021 wherein one accused Rauki Yadav confessed his participation in the present occurrence along with the co-accused. It is further submitted that no incriminating articles have been recovered from the possession of the petitioner. Till date, no Test Identification Parade (T.I.P.) has been held in this case. It is further submitted that another co-accused namely, Vishal Kumar has already been granted bail by a Co-ordinate Bench of this Court vide order dated 26.05.2022 passed in Cr. Misc. No. 3610 of 2022.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 07.08.2021, charge-sheet has been submitted in the case, T.I. Parade nor any incriminating article was recovered from the possession of the petitioner and it was only after his arrest in Saharsa P.S. Case No. 63 of 2021 that petitioner came to be implicated in 13 other cases, let the petitioner above named be



released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Madhepura P.S. Case No. 927 of 2020 subject to the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

(Khatim Reza, J)

Gaurav Kumar/-

U		T	
---	--	---	--

