

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9268 of 2022

Arising Out of PS. Case No.-60 Year-2021 Thana- MANSI District- Khagaria

Samir Yadav Son Of Kare Yadav @ Kishor Yadav R/O Village- Rajajan, P.S.-
Mansi, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bishweshwar Ram, Advocate
For the Opposite Party/s : Mr.Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 14-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Mansi P.S. Case No. 60 of 2021 registered for
the alleged offences under Section 380 of the Indian Penal
Code.

As per prosecution case, a theft was committed in a
petrol-pump and monitor, mobile phone, watch, motor and
Rs.57,000/- in cash were stolen by unknown thieves.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. The petitioner was not apprehended from the spot and



nothing incriminating has been recovered from his conscious possession. The petitioner has been apprehended in this case merely on suspicion as the witnesses claimed to identify this petitioner on the basis of CCTV footage. The petitioner was not put to any Test Identification Parade. The petitioner is in custody since 01.10.2021 and charge sheet has been submitted.

Learned APP opposes the submission made on behalf of the petitioner submitting that the petitioner was identified on the basis of CCTV footage and he is having criminal antecedent of similar nature.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of the custody of the petitioner along with submission of charge-sheet against him, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 2nd Class, Khagaria in connection with Mansi P.S. Case No. 60 of 2021, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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