

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9173 of 2022

Arising Out of PS. Case No.-120 Year-2020 Thana- JHANJHARPUR District- Madhubani

ABHINANDAN YADAV SON OF LAKSHMAN YADAV R/O VILLAGE-
ATARI, P.S.- LAUKAHI, DISTRICT- MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Pushpa Sinha. 1

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 23-06-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for

the offence punishable under Section 392 of the Indian Penal

Code.

As per allegation, three unknown accused persons

looted the motorcycle of the informant and as per prosecution,

petitioner was found to be involved in the commission of

alleged loot.

The main submissions advanced by the learned

counsel for the petitioner are that there are three criminal cases

against the petitioner but the petitioner has been remanded in the



said three cases after arresting in the present case and FIR was lodged against unknown persons, charge sheet has been submitted and the petitioner has been languishing in jail since 21.6.2021 and till now, test identification parade has not been conducted and co-accused person carrying similar nature of allegation has been granted regular bail by a bench of this court vide order passed in Cr. Misc. no. 70929 of 2021 and alleged motorcycle is stated to have been recovered in front of the house of co-accused Shambhu Yadav.

Learned APP opposes the prayer for bail.

Having considered the above submissions, considering the petitioner's custody period and also the fact that investigation has been completed and petitioner's case is similar to the above mentioned co-accused who has been granted bail by a coordinate bench of this court, let the petitioner 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 Addl. Chief Judicial Magistrate I, Jhanjharpur, Madhubani in Jhanjharpur P.S. Case No. 120 of 2020 on 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



below and shall remain physically present as directed by the Court below and on his absence on two consecutive dates without sufficient reason, his 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.

(3) One of the bailers shall be close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

The court below will verify the criminal antecedent of the petitioner but acceptance of bail bond will not be delayed on account of process of verification of the said criminal antecedent. If any criminal antecedent other than of criminal cases mentioned at para-3 of the petition of the petitioner is found then the court below shall take serious action against him for cancellation of his bail bond.

(Shailendra Singh, J)

s.hassan/-

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

