

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11702 of 2022**

Arising Out of PS. Case No.-218 Year-2020 Thana- DAUDNAGAR District- Aurangabad

Binod Kumar Yadav @ Chottu @ Binod Kumar, S/O Dilip Yadav @ Deelip
Yadav, R/O Village- Kharne, P.S.- Barachatti, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh, Advocate
For the Opposite Party/s : Md. Nazir Ansari, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER**

2 05-07-2022 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 from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Daudnagar P.S. Case No. 218 of 2020 registered for the alleged offences under Sections 395 and 397 of the Indian Penal Code.

The prosecution case is that a dacoity was committed in a Bank and unknown criminals looted about Rs.64 lacs in cash from the Bank. The name of the petitioner surfaced in the case during investigation.

The learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. The petitioner is not named in the FIR, which was registered against unknown. He has been roped in this case merely on the basis of confessional statement. The recovery of cash from the petitioner is not from the looted fund, rather it belongs to the family of the petitioner. The other co-accused persons have been allowed bail in Cr. Misc. Nos.4464 of 2021, 15962 of 2021 and 18127 of 2021. The charge sheet has been submitted in this case and the petitioner is in custody since 07.08.2020. The petitioner has also been made an accused in Excise Case No.578 of 2019 under Section 30 (a) of the Bihar Prohibition of Excise Act.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the fact that the petitioner is not named in the FIR and further considering the period of custody, 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 Sub Divisional Judicial Magistrate, Daudnagar in connection with Daud Nagar P.S. Case No. 218 of 2020, subject to the following conditions :

(i) The bail bond of the petitioner will be accepted



only after framing of charge, if not already framed.

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

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

(iv) In case of absence for 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)

V.K.Pandey/-

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