

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13698 of 2022

Arising Out of PS. Case No.-41 Year-2019 Thana- MOUZA HIDPUR District- Bhagalpur

Anand Yadav, Son Of Sri Subhash Yadav, R/O - Gonar Lal Lane, Jogsar, P.S.-
Jogsar (Adampur), District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 15-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 23.07.2019, seeks
regular bail in connection with Mojahidpur P.S. Case No. 41 of
2019 registered for offences punishable under Section 392 of the
Indian Penal Code.

Allegation is of looting Rs. 4,70,000/- from the office
of Udaan Express Courier Service by four unknown motorcycle
borne criminals on gun point.

Learned counsel appearing on behalf of the petitioner
submits that petitioner is innocent and has falsely been
implicated in this case merely on the basis of suspicion during



the course of investigation. No incriminating article has been recovered from the possession of the petitioner. Till date, petitioner has not been put on T.I.P. He further submits that other co-accused namely, Gourav Goswami @ Baba has been released on bail by a co-ordinate Bench of this Court vide order dated 03.07.2019 passed in Cr. Misc. No. 47029 of 2019 and Saurav Kumar @ Golu has been released on bail by a co-ordinate Bench of this Court vide order dated 11.12.2019 passed in Cr. Misc. No. 72279 of 2019. Petitioner is in custody since 23.07.2019.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner.

Considering the nature of allegation made in the FIR, petitioner has not been put on T.I.P. till date, period of custody undergone by the petitioner and other co-accused have already been released on bail by a co-ordinate Bench of this Court, the petitioner, above named, is directed to be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Xith, Bhagalpur in connection with Mojahidpur P.S. Case No. 41 of 2019 subject to the following conditions:



(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

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

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(v) The petitioner will make his attendance before the concerned police station under which his house is located daily till conclusion of the trial and on any single default without any valid reasons on the part of the petitioner, his bail bonds shall be cancelled and the concerned SHO of the police station shall submit his monthly attendance report to the Superintendent of Police having jurisdiction.

(Purnendu Singh, J)

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