

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13364 of 2022**

Arising Out of PS. Case No.-63 Year-2020 Thana- MUFFASIL District- West Champaran

RAJAN YADAV @ GOLU YADAV Son of Prabhu Yadav Resident of
Village- Chhawani Bettiah, Police Station- Bettiah Muffasil (Manuapool
O.P.), District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 14-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

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

The petitioner seeks regular bail in connection with
Muffasil (Manuapool O.P) P.S. Case No. 63 of 2020 for the
offence punishable under Section 392 of the Indian Penal Code.

The prosecution case, in brief, is that four unknown
miscreants looted away Hero Honda Plus motorcycle bearing
registration No. BR-22AG-9313 of informant Vinod Paswan on
31.01.2020 at about 10.00 P.M. in the night when he was
coming from Bettiah to his village Balthar on the gun point.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner is not named in the F.I.R. The name



of the petitioner surfaced in the present case on the basis of confessional statement of co-accused Kundan Patel @ Kundan Kumar Patel, who has already been enlarged on bail by a coordinate Bench of this Court vide order dated 19.10.2020 passed in Criminal Miscellaneous No. 27087 of 2020 and as such the petitioner claims parity to be released on bail. He further submits that other similarly situated co-accused Sonu Shuter has already been released on bail vide order dated 16.04.2021 passed in Criminal Miscellaneous No. 6052 of 2021. The petitioner is in custody since 29.12.2021.

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

Considering the aforementioned facts and circumstances of the case, there is no allegation of tampering the evidence or influencing the witnesses and the trial is not likely to be concluded in near future, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Muffasil (Manuapool O.P) P.S. Case No. 63 of 2020, subject to the following conditions:-



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

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

(3) 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.

(4) 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 bonds.

(Purnendu Singh, J)

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