

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15587 of 2022

Arising Out of PS. Case No.-382 Year-2021 Thana- KONCH District- Gaya

SITA YADAV Son of Teni Yadav Resident of Village - Kamal Bigha, Police Station - Konch in the district of Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-06-2022 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 25.11.2021, seeks regular bail in connection with Koch P.S. Case No. 382 of 2021 registered for offences punishable under Sections 341, 323, 307, 379, 386, 504 and 506/34 of the Indian Penal Code.

As per the allegation made in the FIR, petitioner along with other accused persons named in the FIR had snatched away two motorcycles, tractor, mobile phone and golden locket from the informant (Sachin Kumar) and owner of the tractor. It is further alleged that they had assaulted the informant and owner of the tractor by means of lathi, danda and iron rod due to which



victim Rambali had sustained injury on his head.

Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. Petitioner and informant are co-villagers. Informant had not sustained any injury and the injury sustained by one Rambali, who is the owner of the tractor is simple in nature. Petitioner has clean antecedent and he is in custody since 25.11.2021 on mere suspicion. There is no chance of absconding or tampering and hence the petitioner deserves to be released on bail.

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

Considering the facts and circumstances of the case, period of custody undergone by the petitioner, there is general and omnibus allegation against the petitioner, there being no allegation of tampering the evidence or influencing the witnesses and the trial is also not likely to be concluded in near future, the petitioner, above named, is directed to be enlarged 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 Judicial Magistrate, 1st Class, Gaya in connection with Koch P.S. Case No. 382 of 2021 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.

(Purnendu Singh, J)

Niraj/-

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

