

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29132 of 2021**

Arising Out of PS. Case No.-246 Year-2020 Thana- MURLIGANJ District- Madhepura

KAKOO YADAV @ KOKWA YADAV Son of Punil Yadav @ Pulkit Yadav
Resident of Village- Kalhauta, P.S.- Gwalpara (Arar), District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Sudha Sinha, Advocate

For the Opposite Party/s : Mr. Madhuri Lata, APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

4 17-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of 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 21.12.2020 seeks
regular bail in connection with Murliganj P.S. Case No. 246 of
2020 dated 11.08.2020 registered for offence punishable under
Section 392 of the Indian Penal Code.

Prosecution case in brief is that while wife and mother
of the informant were returning from the house of their relative
Sanjay Murmu at Shahpur Santhali Tola, three persons
forcefully stopped the informant on the gun point and they
looted the Splendor motorcycle with its key from the informant



and the accused persons fled away towards *Kohwara*.

Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. Petitioner is neither named in the F.I.R. and has been implicated in this case due to dirty village politics. Petitioner has not been put on T.I.P nor identified by the informant or his companion. He further submits that one co-accused Mukesh Kumar has already been released on bail vide order dated 12.03.2021 passed in Cr. Misc. No. 1186 of 2021 and the investigation of the case is already complete and as such the petitioner prays for bail.

Learned A.P.P., has opposed the prayer for bail to the petitioner. He further submits that petitioner has got two cases pending against him

Considering the facts and circumstances of the case and taking into consideration the period of custody, 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, Madhepura in connection with Murliganj P.S. Case No. 246 of 2020 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 tempers 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.

(Purnendu Singh, J)

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