

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22255 of 2022

Arising Out of PS. Case No.-118 Year-2021 Thana- BUXAR INDUSTRIAL District- Buxar

Munna Yadav @ Munna Kumar Yadav Son Of Tulashi Singh @ Tulsi Singh
Resident Of Village - Nawadih, P.O.- Osai, P.S.- Shahpur, Distt.- Bhojpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 27-08-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with Buxar
Industrial Area P.S. Case No. 118 of 2021 registered for the
offences punishable under Sections 414/34 of the Indian Penal
Code.

As per prosecution case, informant received
information that some miscreants were waiting to conduct an
occurrence near Padri crossing. Informant along with police
official reached there and saw that some persons were sitting in
two white Scorpio in question. Seeing the police, they tried to
escape from there and they were apprehended by police.



Petitioner is one of them and it is alleged that there is recovery of Rs. 3000/- (Three Thousand Rupees) and one mobile phone was also seized from their possession.

Learned counsel for the petitioner submits that petitioner is in custody since 07.07.2021 petitioner bears criminal antecedent of six cases of more or less similar nature. Co-accused Ankit Raj has also been granted bail vide Cr. Misc. No. 52077 of 2021 by the co-ordinate bench of this court and the case of the present petitioner stands on similar footing. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody and also keeping in view the criminal history of present petitioner, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence and also taking into consideration the material available on record, let the petitioner above named be released on bail, **after framing of charge**, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief



Judicial Magistrate, Buxar in connection with Buxar Industrial Area P.S. Case No. 118 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

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

(iv) Petitioner shall furnish mobile number at the time of furnishing bail bond and the said mobile number shall continue in operating condition till disposal of the case and he shall get his presence marked before the officer-in-charge of the concerned police station on the first Tuesday of every month.

(Alok Kumar Pandey, J)

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