

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21905 of 2022

Arising Out of PS. Case No.-69 Year-2021 Thana- KIUL RAIL P.S. District- Lakhisarai

Vinod Yadav @ Binod Kumar, Son of Late Bhuneshwar Yadav, Resident of village - Tagaini, P.S.- Fatehpur, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 11-07-2022 Heard learned counsel appearing on behalf of the petitioner and learned A.P.P. for the State.

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

As prayed for, learned counsel for the petitioner is permitted to make necessary correction with regard to period of custody in Para-11 of the bail application in course of the day.

The petitioner seeks regular bail in connection with Kiul (Nawada) Rail P.S. Case No. 69 of 2021 for the offence punishable under Section 379 of the Indian Penal Code.

As per the allegation made in the F.I.R., it is alleged that the motorcycle of the informant was stolen by some miscreants. In course of investigation, the motorcycle was



recovered from the possession of the petitioner.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. The petitioner is in custody since 17.11.2021 and the alleged recovery has been shown to have been recovered from the possession of the petitioner at the behest of some person with whom the petitioner is on inimical terms. Taking into consideration the period of custody, the petitioner deserves to be released on bail. Petitioner is ready to abide by any condition which may be imposed by this Court.

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

Considering the period of custody as well as the fact that the charge sheet has already been submitted in the present case and the stolen motorcycle has already been recovered, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Rail Judicial Magistrate, Kiul (Nawada) in connection with Kiul (Nawada) Rail P.S. Case No. 69 of 2021, 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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