

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23489 of 2022

Arising Out of PS. Case No.-213 Year-2021 Thana- KESARIA District- East Champaran

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BIPIN KUMAR YADAV son of Ram Balak Yadav @ Ram Balak Ray,
Resident of Village - Hussepur, Panchrukhiya, P.S. - Sahebganj, District -
Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-08-2022 Let the defect, if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Kesariya P.S. Case No. 213 of 2021 lodged under Section 394 of
the Indian Penal Code read with Sections 25(1-b)a/26/35/27 of
the Arms Act.

Learned counsel for the petitioner submits that the
allegation of robbery is made in the present case and it has been
lodged against three unknown persons. He further submits that
name of petitioner has figured in this case by virtue of
investigation, it transpires that one co-accused Chhote Lal Rai

has talked with the petitioner on mobile due to this reason, his name has figured in this case. He further submits that petitioner is in custody since 13.12.2021 and charge sheet has already been filed having one criminal antecedent. He further submits that petitioner is ready to fulfill all the conditions as laid down by the Court. He further submits that the person with whom petitioner alleged to be talked on his mobile is Chhote Lal Rai, who is also accused in this case, has already been granted bail by the Co-ordinate Bench of this Court vide order dated 27.04.2022 in Cr. Misc. No. 64516 of 2021.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of the case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Kesariya P.S. Case No. 213 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date

fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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