

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24309 of 2022

Arising Out of PS. Case No.-295 Year-2021 Thana- NAWADA District- Nawada

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VIJAY YADAV Son of Late Janki Yadav Resident of Village - Rato, Police
Station - Fatehpur, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Syed Asgher Najmi

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 06-07-2022 The present matter has been listed under the heading
“To Be Mentioned” on the basis of motion slip filed on behalf of
the petitioner.

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
Nawada Town P.S. Case No. 295 of 2021 registered for the
offence punishable under Section 379 of the Indian Penal Code.

As per prosecution case, the informant is a trainer
in Ques Corporation Ltd. situated in Gurudev E.T.I. Building.
On 18.03.2021, the informant went to his house and again came
to his office after parking his vehicle near main gate of the



office and when he returned he did not find his vehicle there. The FIR has been lodged against unknown.

Learned counsel for the petitioner submits that petitioner is in custody since 04.01.2022. Petitioner bears one criminal antecedent in which he is on bail. Charge-sheet has already been submitted in the case and there is no likelihood of tampering the prosecution evidence. Learned counsel further submits that the name of the petitioner has been transpired when the vehicle in question was recovered from the house of the petitioner. Petitioner was not caught on spot nor any incriminating article was recovered from the conscious possession of the petitioner.

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

Considering the facts and circumstances of the case, period of custody, charge-sheet has already been submitted, argument advanced on behalf of the parties and also taking into consideration the material available on record, let the petitioner above named be released on bail 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, Nawada in connection with Nawada Town



P.S. Case No. 295 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 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.

(Alok Kumar Pandey, J)

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