

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27407 of 2022

Arising Out of PS. Case No.-872 Year-2021 Thana- BANKA District- Banka

Lakhan Lal Yadav S/o Dasu Yadav Resident of Village- Dumrama, P.S.-
Amarpur, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Adv.

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 14-09-2022 Let the defect(s), 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
Banka P.S. Case No. 872 of 2021 lodged under Section 392 of
the I.P.C.

As per the prosecution case, the robbery has been
committed by 3 unknown criminals who snatched the
motorcycle with key, bag, one mobile and Rs. 10,000/- from the
possession of the informant.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that recovery of Rs. 5,000/- has alleged to be made

from his house but neither motorcycle nor mobile was recovered from his possession. He further submits that in the F.I.R., the informant has informed that he is in a position to identify the criminals but T.I.P. has not taken place till date. Learned counsel for the petitioner submits that there is one antecedent in which petitioner is on bail but in this regard he has submitted that this case mentioned in paragraph 3 has been filed after the present case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Banka P.S. Case No. 872 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 be resulted into cancellation of

his bail bond.

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

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

Sadique/-
Prakash/-

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