

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.38003 of 2021**

Arising Out of PS. Case No.-208 Year-2019 Thana- LAUKAHI District- Madhubani

Rajan Kumar Yadav @ Pintu, S/o Isho Lal Yadav R/o village- Balua, P.S.-
Laukahi, District- Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Lakshmindra Kumar Yadav, Advocate
For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 19-01-2022 Heard learned counsel for the petitioner and Mr. Pramod
Kumar Pandey, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Laukahi P.S. Case No. 208 of 2019 corresponding to G.R. No. 1635/2019 registered for the offences punishable under Section 394 of the Indian Penal Code and Section 27 of the Arms Act. He has got two criminal antecedents and in both the cases he is said to be on bail. In connection with the present case, the petitioner is in custody since 13.01.2020.

Learned counsel for the petitioner submits that the First Information Report has been lodged by the driver of the vehicle alleging that on 02.10.2019 at about 11:30 p.m. when he was moving with his vehicle two persons came on a Apache motorcycle and on the point of pistol they got the driver and khalasi down from the vehicle and thereafter one of them namely



Petrolwa boarded on the vehicle and snatched away a sum of Rs. 40,000/- and also fired from his pistol which hit on the left thigh of the informant.

Learned counsel submits that in course of investigation on the confessional statement of co-accused the name of the petitioner transpired and save and except that there is no material against the petitioner. The petitioner is in custody for over two years by now, however, till date, no identification parade has been conducted and further nothing incriminating has been recovered from possession of the petitioner. The petitioner is ready to abide by such terms and conditions which may be imposed by this court for purpose of bail.

Learned A.P.P. for the State has though opposed the prayer for regular bail of the petitioner but considering that in this case the petitioner has been arrested on the basis of confessional statement of co-accused extracted in police custody, he has remained in custody for over two years and is ready to abide by the terms and conditions to secure his appearance in course of trial, this court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Jhanjharpur, District - Madhubani in connection with Laukahi P.S. Case No. 208 of 2019



corresponding to G.R. No. 1635/2019, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

And Further condition that henceforth once in every two months the petitioner shall mark his attendance before the S.H.O. of Laukahi Police Station in the district of Madhubani and shall keep on furnishing his complete whereabouts and mobile number to the S.H.O. If he is required to go outside the jurisdiction of the police station in connection with any employment etc. then also he will furnish his address and other information to the S.H.O. Non-compliance with this condition shall be reported by the S.H.O. of Laukahi Police Station to the learned court below and steps shall be taken for cancellation of the bail of the petitioner.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

