

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28996 of 2022

Arising Out of PS. Case No.-511 Year-2020 Thana- CHANDI District- Nalanda

Vinod Yadav, Son of Late Ravindra Yadav, R/O- Vill- Makdumpur, P.S.-
Rahui, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 30-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Chandi/Vena P.S. Case No. 511 of 2020 registered for the alleged offences under Sections 341, 323, 385, 420, 379, 120(B), 308 and 34 of the Indian Penal Code.

As per prosecution case, brick laden tractor of the informant was looted by unknown miscreants along with his mobile phone and Rs. 11,000/- in cash. The informant stated that the petitioner and co-accused have earlier threatened him due to some previous dispute and both of them might be



involved in the occurrence.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Except for suspicion, there is nothing against this petitioner in this case. The informant lodged this case to put pressure on the petitioner as his father and aunt have filed cases against the informant side. For an occurrence dated 02.11.2020, the FIR was lodged on 05.11.2020 and the delay is unexplained. The petitioner is in custody since 22.02.2022 and the charge-sheet has been submitted in this case. The petitioner has got clean antecedent.

Learned APP opposes the prayer for bail submitting that the petitioner has been named in the FIR by the informant.

Having regard to the submissions made hereinabove and considering the lack of substantive material against the petitioner on record to connect him with the alleged occurrence and further considering the clean antecedent of the petitioner along with submission of charge-sheet and his period of custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa, Bihar Sharif



(Nalanda), in connection with Chandi/Vena P.S. Case No. 511 of 2020, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

(i) One of the bailors will be the deponent, who has sworn the affidavit.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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