

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39455 of 2021

Arising Out of PS. Case No.-380 Year-2018 Thana- ARA NAGAR District- Bhojpur

Monu Yadav Son of Awadh @ Awadh Bihari Yadav Resident of Mohalla-
Maulabagh, P.S.- Ara Nawada, Distt- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pranav Kumar

For the Opposite Party/s : Mr. Asha Devi

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-03-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks. In the eventuality of
non-removal of defects within undertaken period, the office will
place the matter before the Bench.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 341, 323,
353, 333, 307, 120B/34 of the Indian Penal Code and Section 27
of the Arms Act.

It is submitted by learned counsel for the
petitioner that petitioner is innocent, not name in the FIR and
has been falsely implicated in this case. He submits that
petitioner has been made accused on the basis of confessional
statement of co-accused. He submits that there is no eye witness



to the said occurrence supporting the involvement of the petitioner in the alleged crime. He submits that one cross mobile constable made attempt to kill the petitioner for which he has lodged the case against the constable and thereafter the police personnel pressurized to compromise the case but the petitioner denied the said compromise offer resulted into implication in the present case. He further submits that petitioner has three criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Considering the facts that petitioner has been made accused on the confessional statement of co-accused, the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Ara Town P.S. Case No. 380 of 2018, subject to the conditions:

(I) As laid down under Section 438 (2) of the Cr.P.C.



(II) that one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to who he is related with the petitioner. He will also undertake to inform the court if there is any change in the address of the petitioner.

(III) that the petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates his bail bonds shall be liable to be cancelled.

(IV) that the petitioner will mark his attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(V) that the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(Anjani Kumar Sharan, J)

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