

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36640 of 2022**

Arising Out of PS. Case No.-26 Year-2020 Thana- BIHAR District- Nalanda

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DEVNA YADAV @ DEENA YADAV SON OF CHUNNU YADAV @  
CHANDU YADAV R/O VILLAGE- RAM DAIYAPAR, P.S.- RAHUI,  
DISTRICT- NALANDA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      22-09-2022                      Heard learned counsel for the petitioner and learned  
counsel for the State.

Let the defect(s), if any, as pointed out by the office  
be removed within four weeks.

The petitioner is in judicial custody in connection  
with Bihar P.S. Case NO. 26 of 2020 (G.R. No. 225/20) for the  
offences under Section 395 of the Indian Penal Code.

As per the prosecution story, 7-8 dacoits on the gun  
point took away Rs. 4,00,000/- and a locket from the informant  
who had been coming on his truck after uploading a  
consignment of cement at Purnea. The money looted was the  
price of cement and the hiring charges of the vehicle. The name  
of the petitioner transpired as one of the accused persons.



Learned counsel for the petitioner submits that though he is in custody since 30.03.2022, nothing has been recovered from his conscious possession nor T.I. Parade has been done. His last submission is that one of the similarly placed co-accused, Mithu Yadav @ Mithilesh Prasad has been enlarged on bail vide order dated 16.09.2022 passed in Cr. Misc. No. 34160 of 2022.

Let the same be kept on record.

Taking into account the aforesaid fact that the petitioner is in custody since 30.03.2022, charge sheet stands submitted and similarly placed co-accused has been enlarged on bail as stated above, this Court is inclined to grant him privilege of bail after framing of the charges.

Let the petitioner be released on bail after framing of the charges on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Bihar P.S. Case NO. 26 of 2020, subject to the condition that he will be out of district of Nalanda for three months and will provide the address and phone number of the place of his residence for the said three months and will visit the local police station under whose jurisdiction he will be



residing every week till he returns to the district of Nalanda.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) once he returns, he will be visiting the local police station every month till the conclusion of the trial to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

**(Rajiv Roy, J)**

Jagdish/Neha-

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