

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36068 of 2022

Arising Out of PS. Case No.-113 Year-2022 Thana- SHAMBHUGANJ District- Banka

Fantoosh Yadav Son of Maheshwari Yadav R/O Village- Domodih, P.S.-
Fullidumar, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Adv. Mr. Rajendra Prasad Yadav, Adv.
For the Opposite Party/s	:	Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-09-2022 Let the defect, 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
Shambhuganj P.S. Case No. 113 of 2022 lodged under Sections
401, 379, 411 of the I.P.C.

As per the prosecution case, one accused Dilkush
Yadav sold a motorcycle to Fantoosh Yadav and the said
motorcycle was subjected to theft.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Learned
counsel for the petitioner further submits that the petitioner's

name has come by virtue of confessional statement of the co-accused Dilkush Yadav, who has sold the stolen motorcycle to Fantoosh Yadav. Learned counsel further submits that the said Fantoosh Yadav has innocently purchased the said motorcycle and due to his innocent attitude, he is in custody since 05.05.2022 having clean antecedent. He further submits that he is ready to fulfill all the conditions whatsoever shall be imposed upon him.

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 A.C.J.M., IV Banka in connection with Shambhuganj P.S. Case No. 113 of 2022, 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.)

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