

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46531 of 2021**

Arising Out of PS. Case No.-171 Year-2020 Thana- BEERPUR District- Begusarai

YUVRAJ SONI @ CHHOTU S/o LALIT SONI @ LALIT KUMAR SONI
R/o VILLAGE-GHATAHO, P.S-GHATAHO AND DISTRICT-
SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2, Advocate.

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP.

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

3 21-03-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner seeks regular bail in connection with
Birpur P.S. Case No. 171 of 2020 for the offence punishable
under Sections 394 and 397 of the Indian Penal Code.

The prosecution case, in brief, is that the Branch
Manager of IDBI Bank, Lakshmipur, Saraunja gave his
fardbeyan alleging therein that four accused persons committed
robbery in the Bank and looted cash of Rs.6,65,570/-.

Learned counsel appearing on behalf of the petitioner



submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that the name of the petitioner has surfaced in course of investigation on the basis of confessional statement of one Pankaj Kumar. Nothing has been recovered from the conscious possession of the petitioner. Subsequent to the present case, petitioner has also been made accused in three other cases due to enmity with the police. Petitioner is in custody since 08.01.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner and submits that the name of the petitioner has surfaced in the present case on the basis of CDR/CAF report which shows the location of all the accused persons at the same place on the date of alleged occurrence and the petitioner was in touch with the other accused whose name has surfaced during the course of investigation. However no recovery has been made from the possession of the petitioner rather recovery of fire arm has been made from the possession of one Dharmendra Sahni.

Considering the nature of allegation made against the petitioner as well as period of custody, without going into the merits of the case, the petitioner, above named, is directed to 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 ACJM-VI, Begusarai in connection with Birpur P.S. Case No. 171 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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