

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40927 of 2022

Arising Out of PS. Case No.-522 Year-2019 Thana- NARPATGANJ District- Araria

Ranjan Yadav @ Ranju Yadav, s/o Nityanand Yadav, R/o Village - Madhura,
P.S.- Narpatganj, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh, Advocate
For the Opposite Party/s : Mr.Parmanand Kumar,APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 21-10-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceeding.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Narpatganj P.S. Case No. 522 of 2019
registered for the alleged offences under Section 392 of the
Indian Penal Code.

As per prosecution case, three motorcycle borne
miscreants over took the motorcycle of the informant and at gun
point robbed him of his bag containing Rs. 1,12,829/-, Tab,
biometric device, mobile phone and some documents. They also
took away the keys of the motorcycle. The name of the
petitioner transpired during course of investigation as accused



person.

It has been submitted on behalf of the petitioner that petitioner was not apprehended from the spot and nothing incriminating has been recovered from his person or possession. No Test Identification Parade has been held for identification of the accused person. The petitioner has been named in this case on the basis of his confessional statement. Except for the confessional statement, which is not admissible in the eyes of the law, there is nothing against this petitioner. Charge sheet has been submitted in this case and the petitioner is in custody since 19.07.2021.

Learned APP for the State opposes the prayer for bail of the petitioner submitting that the petitioner is a habitual offender.

Having regard to the facts and circumstances and submission made on behalf of the parties and further considering the fact that no recovery has been shown from the petitioner and nothing of substance came up on record to connect the petitioner with the alleged occurrence and also considering his period of custody along with submission of charge sheet, 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 Chief Judicial Magistrate, Araria, in connection with Narpatganj P.S. Case No. 522 of 2019, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be a close relative of the petitioner.
- (iii) The petitioner will remain present on each and every date fixed by the court below.
- (iv) 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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