

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54660 of 2021**

Arising Out of PS. Case No.-505 Year-2019 Thana- SAHARSA SADAR
District- Saharsa

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Raman Kumar Yadav @ Raman Yadav Son of Dinesh Yadav @ Dinesh
Dinkar @ Umesh Yadav Resident of Village - Kayasth Tola, Ward No. 28,
P.S. - Saharsa, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Shiva Shankar Sharma, Advocate
For the State : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 06-04-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 392, 394 and 411 of the
Indian Penal Code.

As per prosecution case, in short, is that three
unknown miscreants snatched the motorcycle of the informant
and also assaulted him.

Learned counsel for the petitioner submits that the
petitioner is not named in the F.I.R. and he has been falsely



implicated in the present case only on the basis of confessional statement of co-accused namely Anshu Kumar. He further submits that there is no recovery from the possession of the petitioner and till date no test identification parade conducted by the prosecution and the police after investigation submitted chargesheet against the petitioner. Similarly situated co-accused namely Anshu Kumar @ Anshu Sharma has been granted bail vide order dated 02.06.2020 in Cr. Misc. No. 16759 of 2020, another co-accused Binit Kumar @ Bineet Yadav has been granted bail vide order dated 03.06.2020 in Cr. Misc. No. 16659 of 2020 and also another co-accused Ugan Yadav @ Manish Kumar has been granted bail vide order dated 18.01.2021 in Cr. Misc. No. 2647 of 2021 by a Coordinate Bench of this Hon'ble Court respectively. The petitioner is in custody since 11.09.2019.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries five more cases other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Saharsa Sadar (Sonbarsa Kachahari) P.S. Case No. 505 of 2019, with the following conditions :-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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