

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46127 of 2022**

Arising Out of PS. Case No.-484 Year-2020 Thana- RANIGANJ District- Araria

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SANJAY YADAV SON OF GANGA YADAV R/O VILLAGE- BIBIGANJ,
P.S.- NARPATGANJ, DISTRICT- ARARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 09-12-2022 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner seeks bail in connection with

Raniganj P.S. Case No. 484 of 2020 corresponding to S.T. No.

177 of 2021 registered for the offences punishable under

Sections 395, 412 of the Indian Penal Code.

As per prosecution case, four unknown miscreants

snatched Rs. 2030/-, mobile phone and key of motorcycle of the

informant on the point of pistol and fled away.

Learned counsel for the petitioner submits that

petitioner is in custody since 15.02.2021. Petitioner bears six

criminal antecedents. Charge sheet has already been submitted



in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that the petitioner is not named in the F.I.R. Name of present petitioner has been transpired in the case on the basis of co-accused Awadh Verma. Except confessional statement of co-accused, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. Nothing has been recovered from the conscious possession of the petitioner. Petitioner has not been put on T.I.P. till today. Learned counsel further submits that co-accused Abhimanya Yadav and Md. Munna have already been granted bail vide Cr. Misc. No. 50819 of 2021 by a co-ordinate bench of this court as mentioned in Annexure-2 of the bail petition and the case of present petitioner stands more or less on similar footing.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, nothing has been recovered from the conscious possession of the petitioner, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, co-accused persons has already been granted bail, argument advanced on behalf of the parties



and also taking into consideration the material available on record, let the petitioner above named be released on bail after framing of charge on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Araria in connection with Raniganj P.S. Case No. 484 of 2020 corresponding to S.T. No. 177 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

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

(iv) Petitioner shall furnish mobile number at the time of furnishing bail bond and the said mobile number shall continue in operating condition till disposal of the case and he shall get his presence marked before the officer-in-charge of the



concerned police station on the first Tuesday of every month.

(v) Petitioner shall not leave the territorial jurisdiction of the concerned trial court without appropriate permission of the court concerned.

(vi) If petitioner violates any of the conditions, the trial court is at liberty to cancel the bail bond of the petitioner.

(Alok Kumar Pandey, J)

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