

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57868 of 2021

Arising Out of PS. Case No.-193 Year-2021 Thana- DARAUNDA District- Siwan

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Bhim Yadav S/o- Sri Krishna Yadav R/o Village- Kabilpura, P.S.- M.H. Nagar, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate.

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 06-04-2022 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The present application has been filed on behalf of the petitioner, above named, for grant of regular bail to the petitioner who has been made accused and put behind the bars in connection with Daraunda (M. H. Nagar) P. S. Case No. 193 of 2021 registered for the offences punishable under Section 392 of the Indian Penal Code.

As per the prosecution case, it is alleged that on 14.07.2021, while the informant was going to market, three persons came on a bike and intercepted the informant and on the gunpoint they snatched his golden chain and other valuables including A.T.M Card, PAN Card, Aadhar Card and mobile phone and fled away.



It has been submitted by the learned counsel for the petitioner that the F.I.R. has been instituted against unknown miscreants. The name of the petitioner has come only on suspicion made by a spy. It is further submitted that this petitioner is in custody since 16.07.2021 but till date he has not been put on T.I.P., further, nothing incriminating has been recovered from the possession of this petitioner which suggest any complicity of this petitioner in the present case. It is next submitted that though the petitioner has found involved in four other cases as mentioned in Paragraph No. 3 to the petition. However, in all the cases the petitioner is on bail.

On the other hand, learned APP for the State opposes the prayer and submits that the petitioner has criminal antecedent.

Having considered the rival submissions and taking into account the fact that the petitioner is not named in the F.I.R. and he is in custody since 16.07.2021 but till date he has not been put on T.I.P. nor any incriminating material has come during the course of the investigation which suggest the complicity of this petitioner in the present case, except suspicion. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty



thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Siwan in connection with Daraunda (M. H. Nagar) P. S. Case No. 193 of 2021, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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