

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49344 of 2022

Arising Out of PS. Case No.-110 Year-2022 Thana- SONO District- Jamui

SURENDRA YADAV S/o Ramdeo Yadav R/o village- Pailwajan, P.S.- Sono,
District- Jamui

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai
For the Opposite Party/s : Mrs.Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 21-12-2022 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 Sono
P.S. Case No. 110 of 2022 registered for the offences punishable
under Sections 394 of the Indian Penal Code.

As per prosecution case, two unknown miscreants
came on a motorcycle and snatched cash of Rs. 8800/- and
mobile of the informant. It is further alleged that miscreants
asked more money from the informant and upon refusal of same
they assaulted him by means of pistol due to which informant
sustained head injury.

Learned counsel for the petitioner submits that



petitioner is in custody since 18.05.2022. Petitioner bears three 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 petitioner is not named in the F.I.R. Name of present petitioner has been transpired in paragraph 7 of the case diary on the basis of statement of one Md. Zibel Ansari who stated that petitioner was found moving near the place of occurrence half an hour prior to the alleged occurrence. Except the aforesaid statement there is no cogent evidence on record to demonstrate the complicity of the present petitioner with the alleged occurrence. Learned counsel for the petitioner orally submitted on the basis of impugned order that nothing has been recovered from the conscious possession of present petitioner. No T.I.P has been made till today. Petitioner is innocent and has falsely been implicated in the present case.

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, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, 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 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate - 1st Class, Jamui in connection with Sono P.S. Case No. 110 of 2022, 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.

(Alok Kumar Pandey, J)

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