

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58608 of 2021

Arising Out of PS. Case No.-642 Year-2018 Thana- ARARIA District- Araria

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Rupesh Kumar Yadav @ Rockey @ Rupesh Yadav Son Of Ugan Yadav @
Uganand Yadav R/O Village- Belsara, P.S.- Raniganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Adv.

For the Opposite Party/s : Mr. Shaheen Begum, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 27-09-2022 Learned counsel for the petitioner submits that due to inadvertence, the name of police station could not typed in third line of Paragraph no.3, therefore, he seeks permission to correct the same.

Permission granted.

Learned counsel for the petitioner is directed to correct the same in course of the day.

Let the defect, if any, be removed within two weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Araria P.S. Case No. 642 of 2018 lodged under Section 392 of the I.P.C.

As per the prosecution case, the allegation of robbery is there against unknown persons. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that case has been filed against unknown accused persons. In the present case, name of the petitioner has been figured by the confessional statement of the co-accused.

Learned counsel for the petitioner submits that nothing incriminating has been recovered from the petitioner's possession nor the petitioner was put on T.I.P. He further submits that there are in total 6 criminal cases pending against the petitioner and he has not been granted bail in any of the case but he is ready to fulfill all the conditions whatsoever shall be imposed upon him.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -III, Araria in connection with Araria P.S. Case No. 642 of 2018,

subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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