

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61310 of 2021**

Arising Out of PS. Case No.-296 Year-2018 Thana- RANIGANJ District- Araria

Bipin Yadav @ Bipin Kumar, S/o Birbal Yadav, R/o Village - Kanhaili, P.S. -
Narpatganj, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh, Advocate
For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER**

3 02-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Raniganj P.S. Case No. 296 of 2018, registered for the alleged offences under Section 395 of the Indian Penal Code.

As per the prosecution case, six dacoits on the gunpoint took away Rs. 3,43,649/- along with two mobiles, HHD machine, some documents etc. from the informant and his accomplice.

Learned counsel for the petitioner submits that the



petitioner is not named in the FIR and nothing incriminating has been recovered from his possession. The petitioner has been made accused in this case only on the basis of confessional statement of co-accused persons, namely Sakaldeo Paswan and Ranjan Yadav, who have been granted bail vide order dated 10.05.2019 passed in Cr. Misc. No. 31169 of 2019 and the order dated 23.07.2019 passed in Cr. Misc. No. 36265 of 2019, respectively. The charge sheet has been submitted in this case and the petitioner is in custody since 20.07.2021.

Learned APP opposes the prayer for bail submitting that the petitioner is a habitual offender and is named in two other cases as well.

Perused the records.

Having regard to the facts and circumstances of the case and the submissions made hereinabove and further considering the fact that no recovery is stated to be made from the petitioner or at his instance and also considering the submission of charge sheet and the period of custody of the petitioner, he is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Araria, in connection with Raniganj P.S.



Case No. 296 of 2018, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be a close relative of the petitioner.
- (iii) The petitioner will remain present on each and every date fixed by the court below.
- (iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

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