

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69582 of 2021**

Arising Out of PS. Case No.-602 Year-2021 Thana- BANKA District- Banka

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Ashutosh Yadav Sonof Bijay Kumar Yadav @ Vijay Yadav Resident of
Village- Choti Dhaka, P.S. and District- Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 25-07-2022 Heard learned counsel for the petitioner and the
State.

The petitioner is in custody in connection with Banka
(Barahat) P.S. Case No. 602 of 2021 under section 379 of the
Indian Penal Code.

The allegation against the petitioner is that one
motorcycle bearing no. BR51EF5341 was stolen on 28.6.2021
which was recovered/seized on the confessional statement of the
petitioner herein from the house of one Balram Kumar.

Learned counsel for the petitioner submits that the
said recovery is not from the house of the petitioner and for the
said alleged act he has suffered a lot by being in jail since
30.8.2021 (as stated in para-1 of the bail application).



Considering the fact that charge-sheet stands submitted and the petitioner is in custody since 30.8.2021, this Court is inclined to grant him the privilege of bail but with certain conditions in view of the fact that he has criminal antecedent.

Let the petitioner be released on bail on furnishing bail bond of Rs. 15,000/- (Fifteen thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Banka (Barahat) P.S. Case No. 602 of 2021 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty



to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

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