

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71048 of 2021

Arising Out of PS. Case No.-145 Year-2021 Thana- BELHAR District- Banka

BINOD YADAV Son of Parmeswar Yadav Resident of village - Lalmatiya,
P.S.- Belhar, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar
For the Opposite Party/s : Mr. Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-02-2022 Heard learned counsel for the parties through video conferencing.

Petitioner seeks regular bail in connection with Belhar P.S. Case No. 145 of 2021 registered for the offence punishable under Section 379 of the Indian Penal Code, 1860.

As per the First Information Report 150 bags of cement have been stolen from the godown of construction site of the informant by Binod Yadav (i.e. petitioner) with the help of co-accused Arun Yadav.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case without any material to support the allegation. With regard to recovery of 13 bags of cement from the possession of the petitioner, learned counsel submits that tractor of the petitioner was taken on hire by the informant and in lieu of payment towards hiring charges 15 bags of cement were given to the petitioner out of which 13 bags have been recovered. He further submits that the co-accused /



Arun Yadav, in-charge custodian of the godown and *Munshi* of the informant, has been granted bail by this court vide Cr. Misc. No. 43095 of 2021. The petitioner has got no criminal antecedent, he is in custody since 10 / 05 / 2021 and charge sheet has already been submitted.

Regards being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that the petitioner has got no criminal antecedent, he is in custody since 10.05.2021, charge sheet has already been submitted and similarly situated co-accused has been granted bail, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs.10000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Belhar P.S. Case No. 145 of 2021.

(Anil Kumar Sinha, J)

praful/-

U		T	
---	--	---	--

