

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25663 of 2023

Arising Out of PS. Case No.-36 Year-2023 Thana- CHHAURADANO District- East
Champaran

=====

SHYAM VINOD @ SHYAM VINOD KUMAR S/O MOHAN SAH R/O
Janta Chowk, P.S- Chhauradano, Distt.- East Champaran at Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Abhijeet Kumar Singh

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam, APP

=====

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 16-05-2023 Heard the learned counsel for the petitioner and

learned APP for the State.

This is an application for regular bail on behalf of
the petitioner for the offences alleged under Sections 420, 409
and 34 of the Indian Penal Code registered in connection with
Chhauradano P.S.Case No.36 of 2023.

The petitioner is an employee of the informant. As
per allegation, he received Rs. 12,00,000/- from the maternal
uncle of the informant and when he was coming back to the
informant, three miscreants came there by a motor-cycle and
they snatched the money from the possession of the petitioner.
Later on, the petitioner was implicated as an accused in this
case.



The learned counsel for the petitioner has submitted that the petitioner is a trusted employee of the informant. There is no question of his involvement in the alleged occurrence. He is a person of clean antecedent and is languishing in jail since 08.02.2023. He has further submitted that the entire money has been recovered from the possession of co-accused Upendra Rai and in his confession the name of the petitioner has figured. Except the confessional statement of co-accused, there is nothing against the petitioner in the entire case diary. He has also submitted that when the informant realized his mistake, he compromised the case with the petitioner.

On the other hand, the learned APP for the State has opposed the prayer for bail, but fairly conceded that the entire money was recovered from the possession of co-accused Upendra Rai.

Considering the above facts and circumstances, clean antecedent and period of incarceration, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Sri R.K.Gupta, learned Judicial Magistrate Raxaul, East Champaran at Motihari in connection with Chhauradano P.S.Case No. 36 of 2023, subject to the



following conditions:-

1. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

2. If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

HR/-

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

