

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27366 of 2023

Arising Out of PS. Case No.-30 Year-2022 Thana- UDAKISHUNGANJ District- Madhepura

Prince Kumar @ Prince Yadav Son Of Resham Lal Yadav Resident Of Vill
-SHYAM ,PS Gwalpara, Distt Madhepura

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Patla Kumari, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 25-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Udakishunganj P.S. Case No. 30 of 2022 dated 07.02.2022,
instituted for the offences punishable under Sections 395 and
397 of the Indian Penal Code and 27 of the Arms Act.

3. According to prosecution case, eight named
accused persons including the petitioner along with three
unknown miscreants intercepted the informant along with five
other cattle traders on their way and started firing gun shorts and
looted cash of Rs. 1,15,000/- and mobile phone from the
associates of the informant and some loose amount, mobile
phone and the Adhar Card of the informant.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has falsely been implicated in this case. It is submitted that in nothing has been recovered from the possession of the petitioner. It is further submitted that other similarly situated persons have already been granted bail by different Co-ordinate Benches of this Court on different dates *vide* order dated 13.02.2023, passed in Cr. Misc. No. 39105 of 2022 (Subhas Yadav @ Subhas Kumar) and order dated 25.02.2023 passed in Cr. Misc. No. 66592 of 2022 (Nitish Kumar @ Nilish Yadad). Lastly, it has been submitted that the petitioner is in custody since 01.08.2022, has three cases against him and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge, VII, Madhepura in Udakishunganj P.S. Case No. 30 of 2022 subject to the following conditions:-

- i. Petitioner shall co-operate in the trial and shall be properly represented on each and



every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

iii. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

iv. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

shanu/-

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

