

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29490 of 2023

Arising Out of PS. Case No.-78 Year-2022 Thana- BELDOUR District- Khagaria

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AJEET YADAV @ AJEET KUMAR YADAV @ AJEET KUMAR Son of
Shivchandra Yadav Resident of village - Pirnagara, P.S.- Beldaur, District -
Khagaria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar Singh

For the Opposite Party/s : Mrs.Meena Singh

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 13-06-2023 Learned counsel for the petitioner is permitted to make

necessary correction in para 7 of the bail application during

course of the day.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner seeks bail in connection with Beldaur

P.S. Case No. 78/2022 registered for the offences punishable

under Section 392 of the Indian Penal Code.

As per prosecution case, two unknown persons came

and dashed the motorcycle of the informant and snatched his

real-me mobile, biometric tablet and cash Rs.1,14,737/- and fled

away towards Prinangara village. At the same time, a patrolling

police jeep came there and the informant narrated him about the

entire incident. Police started chasing and caught one accused



person with motorcycle. Apprehended co-accused Girdhari Yadav disclosed that his companion succeed to fled away with the help of the villagers.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case due to village politics. The petitioner is not named in the FIR and the name of petitioner transpired in this case on the basis of confessional statement of co-accused Girdhari Yadav. He further submits that except confessional statement of co-accused, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. The petitioner is languishing in custody since 08.02.2023 and bears no criminal antecedent. No incriminating article has been recovered from the conscious possession of the petitioner. He further submits that the petitioner has not put on T.I. Parade till today.

The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, argument advanced on behalf of both sides and keeping in view clean antecedent of petitioner and also taking into consideration the material available on record, let the



petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Khagaria in connection with Beldaur P.S. Case No. 78/2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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