

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34261 of 2023

Arising Out of PS. Case No.-314 Year-2022 Thana- TRIVENIGANJ District- Supaul

KISHOR KUMAR YADAV @ KISHOR KUMAR S/O HARI YADAV R/o
Village-Latauna ward No. 006, P.S. Triveniganj, Distt.-Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Pandey

For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner is permitted to
make necessary correction in para 7 and 8 of the bail petition
during course of the day.

The petitioner seeks bail in connection with
Tribeniganj P.S. Case No. 314 of 2022 registered for the
offences punishable under Sections 356, 379 of I.P.C.

As per prosecution case, two unknown persons
came on a motorcycle and snatched the informant's bag in
which Rs. 44,562/- was kept and fled away.

Learned counsel for the petitioner submits that
petitioner is not named in the F.I.R. During the course of
investigation name of present petitioner has been implicated in



the present case. Petitioner is remanded in the case on 27.09.2022 from Kishanpur P.S. Case No. 219 of 2022 since then he is in custody. Petitioner bears two criminal antecedents. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Petitioner is innocent and has committed no offence as alleged in the F.I.R. Learned counsel orally submits that nothing has been recovered from the conscious possession of the petitioner. No T.I.P. has been conducted uptill now.

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

Considering the facts and circumstances of the case as well as period of custody, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of the parties and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Supaul in connection with Triveniganj P.S. Case No. 314 of 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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