

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51269 of 2022**

Arising Out of PS. Case No.-65 Year-2017 Thana- KATORIYA District- Banka

=====

RAJ KUMAR YADAV SON OF BHUKLAL YADAV @ ANUPLAL YADAV
R/O VILLAGE- MANIYA, P.S.- KATORIA, DISTRICT- BANKA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : Mr.Satya Nand Shukla

=====

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

ORAL ORDER

3 24-03-2023 The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection with Katoria P.S. Case No. 65 of 2017, registered for the offences punishable under Section 392 of the Indian Penal Code and Section 27 of Arms Act.

As per allegation, some unknown miscreants, after snatching Rs. 50,000/- from the shop of the informant were trying to flee away, after leaving their two motorcycles. They fled away with the cash.



The learned counsel for the petitioner has submitted that the petitioner is not named in the FIR. He was not arrested at the spot and it has come in confessional statement of co-accused that he has sold his motorcycle to the petitioner. He has submitted further that the petitioner is bonafide purchaser of that motorcycle, from one Mukesh Kumar and on similar footing co-accused Naresh Yadav, has been granted granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 28446 of 2021.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Katoria P.S. Case No. 65 of 2017, subject to the following conditions:-

- (i) The petitioner shall remain physically present on each and every date till conclusion of the trial and his failure in physical appearance shall lead to cancellation of his bail bond.
- (ii) 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.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

Nirmal/Kundan

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

