

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53638 of 2022

Arising Out of PS. Case No.-136 Year-2022 Thana- RANIGANJ District- Araria

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NAGO YADAV @ SUSHIL KUMAR YADAV @ HATHKATTA @ SUSHIL
KUMAR S/o Suren Yadav Resident of Vistoriya, Ward No.-17, Thana-
Raniganj, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nishant Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 13-01-2023 Heard learned counsel for the petitioner and

learned APP for the State in Virtual Court Proceeding.

Let the defect(s), if any, as pointed out by the

office, be removed within four weeks.

The petitioner is apprehending arrest in connection

with Raniganj P.S. Case No. 136 of 2022 under sections 457 and

380 of the Indian Penal Code.

As per the prosecution story, the informant after

returning home found the same to have ransacked and 150

grams of silver anklets, 8 grams of gold as also Rs. 5,000/- were

missing. As such, the FIR was lodged by name against this

petitioner as it was disclosed by neighbours that he is active in

the area and doing such mischief.



Learned counsel for the petitioner submits that he is handicapped person having only one hand and a copy of which has also been annexed as Annexure-2 and being physically challenged person, his movement is restricted and only he is a labourer but due to enmity, his name has been taken. Learned counsel further submits that the petitioner is ready to abide by all the terms and conditions, if granted relief.

The learned APP on the other hand submits that he has criminal cases of similar nature and as such opposes the prayer.

As per the FIR, the informant has raised suspicion against this petitioner, he is physically challenged young person and will be cooperating in the investigation, this Court is inclined to grant him relief subject to certain conditions.

Let the petitioner be released on bail, in the event of his arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, in connection with Raniganj P.S. Case No. 136 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with the following conditions:



(i) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(ii) if the petitioner is named in further criminal act, the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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