

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56432 of 2022

Arising Out of PS. Case No.-144 Year-2022 Thana- KURTHA District- Jehanabad

Bijendra Yadav, Son of Sri Jagdish Yadav, Resident of Village - Sivabigha,
Police Station - Kalpo O.P. Jehanabad, District - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Advocate

For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-01-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Kurtha
P.S. Case No.144 of 2022 registered for the offence punishable
under Section 392 of the Indian Penal Code.

While the informant was on his way to attend a
wedding ceremony along with his wife, miscreants have stopped
his motorcycle and taken away Rs.12,000/- from his pocket.
Subsequently, it is alleged that the same four miscreants were
committing loot, when they have been chased. The petitioner
has been apprehended and others have allegedly fled away.

The petitioner's counsel submits that the petitioner has
been falsely implicated in this case because he was present in
the locality. The allegation that the petitioner was a party to the



loot being committed, is highly improbable as no weapon has been recovered from the petitioner nor there is recovery of any incriminating material. Petitioner is stated to be in custody since 26.05.2022. The petitioner is acquitted in two cases which were pending against him earlier.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, manner of the petitioner's implication and the factum of his acquittal in the earlier two cases, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the court of learned Sub-Divisional Judicial Magistrate, Arwal, in connection with Kurtha P.S. Case No.144 of 2022, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the



address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

PNM

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

