

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14309 of 2024

Arising Out of PS. Case No.-55 Year-2023 Thana- KURTHA District- Jehanabad

Santosh Kumar @ Timal Yadav Son of Shivran Yadav @ Shivbaran Yadav
R/o Sangatpar, P.S. and District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kunwar Digvijay Singh

For the Opposite Party/s : Mr.Shailendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 05-03-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is in custody in connection with
Kurtha P.S Case No. 55 of 2023 registered for the offences
punishable under Sections 395 of the I.P.C read with
Section 27 of Arms Act.

3. As per prosecution case, six unknown persons
with an allegation of committing loot of Rs. 5,50,000/- from
the shop of the informant.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. It is
further submitted that petitioner is not named in FIR,



petitioner's name transpired in this case during the course of investigation on the basis of confessional statement of co-accused. It is next submitted that in similar situated condition one of the co-accused person has already been granted bail by the Co-ordinate Bench of this Court *vide* order dated 29.11.2023 passed in Cr. Misc. No. 29.11.2023. It is also submitted that petitioner is in judicial custody since 12.07.2023.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-VIII, Jehanabad in connection with Kurtha P.S Case No. 55 of 2023, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to



show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Ramesh Chand Malviya, J)

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