

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 62199 of 2024

Arising Out of PS. Case No.-14 Year-2024 Thana- KHUTAUNA District- Madhubani

Ranjay Yadav @ Ranjay Kumar Yadav Son of Rajendra Prasad Yadav @
Rajender Prasad Yadav Resident of village - Navtol , P.S. -Phulparas , District
- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagandeo Yadav Mr.Ravi Prakash Mr. Udeshya Kumar Yadav
For the Opposite Party/s :		Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-09-2024 Heard Mr. Gagandeo Yadav, learned Advocate for
the petitioner and learned Additional Public Prosecutor for the
State.

2. This is an application for grant of bail to the
petitioner, who is in custody in connection with Khutauna P.S.
Case No. 14 of 2024 registered for the offences punishable
under Section 394 of the Indian Penal Code.

3. Allegedly while the informant was going to
Rajnagar, in the meantime, four persons riding on two
motorcycles intercepted him and snatched away the valuables
on the point of pistol. The accused persons also assaulted the
informant due to which he sustained injury.



4. Learned Advocate for the petitioner contended that the FIR has been instituted against unknown miscreants, however, during the course of investigation, on the basis of confessional statement of co-accused Pankaj Kumar, a motorcycle was recovered from the possession of the petitioner, which is said to have been used at the time of crime. It has further come in the investigation that the looted motorcycle has been recovered from the scrap store of Ranjan Kumar Yadav. It is next contended that be that as it may the crime in question is triable by the Magistrate. Moreover, till date the petitioner has not been put on Test Identification Parade. Save and except the allegation that the petitioner's motorcycle which is said to have been used in the crime has been recovered from the possession of the petitioner, there is no material as to whether the petitioner had participated in the crime or not.

5. On the other hand, learned APP for the State opposed the bail application and submits that the petitioner bears four criminal antecedents over his head and as such he appears to be a habitual offender.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner is in custody since 02.03.2024 but till date he has not been put



on Test Identification Parade, moreover the entire case is based on confession and after completion of the investigation charge sheet has been submitted, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Jhanjharpur, Madhubani in connection with Khutauna P.S. Case No. 14 of 2024, subject to the condition that one of the bailors shall be the own/close family members of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the



court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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