

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.20974 of 2021**

Arising Out of PS. Case No.-579 Year-2018 Thana- NAUTAN District- West Champaran

RAM BABU YADAV Son of Bikram Yadav Resident of Village- South
Telhua Kata Tola, Police Station- Nautan, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.B.N. Mishra, Adv.

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 09-07-2021 Learned counsel for the petitioner undertakes to
remove all the defects as pointed out by office within four
weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Nautan Jagdishpur P.S. Case No.579 of 2018
registered for the offences punishable under Section 379/34 of
the Indian Penal Code.

The prosecution story in short is that one Md. Raju
submitted a written report to the S.H.O., Jagdishpur Police
Station alleging therein that on 21.11.2018 at 3.00 pm he had
gone to cut sugarcane crops in the filed standing his motorcycle,



then he heard the sound of start of bike and then he saw that four persons had started his motorcycle. It is then alleged that the informant raised hulla and chased the persons with the motorcycle of his villager and during the course of chase one person fallen down with the motorcycle, who was caught by the local people while one person succeeded in fleeing away. It is further alleged that the apprehended person disclosed his name Pradeep Sahani and he also disclosed the name of fleeing away person as Ram Babu Yadav (petitioner).

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that nothing incriminating has been recovered from the possession of the petitioner and he was not arrested on the spot. It is submitted that the petitioner has been remanded in this case on 08.07.2019 and since then he is in custody.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this Court has noticed that this is a case under Section 379/34 of the Indian Penal Code in which the petitioner has been remanded on 08.07.2019 and since then he is in



custody, investigation against him is complete but the trial is not likely to take place in near future, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Bettiah, District-West Champaran in connection with Nautan Jagdishpur P.S. Case No.579/2018, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that 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 step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

