

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.20961 of 2021**

Arising Out of PS. Case No.-180 Year-2019 Thana- NAUTAN District- West Champaran

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RAM BABU YADAV S/O BIKRAM YADAV R/O VILLAGE-SOUTH
TELHUA KATA TOLA, POLICE STATION-NAUTAN, DISTRICT-WEST
CHAMPARAN

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sachida Nand Rai, Advocate

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 08-07-2021 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. 180 of 2019

registered for the offences punishable under Section 379 of the

Indian Penal Code.

As per the prosecution story, the informant has

alleged that on the night of 17.04.2019 when he was busy in his

daughter's marriage ceremony, his motorcycle has been stolen

by unknown thief.



Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case on mere suspicion. It is further submitted that the petitioner has not been named in the F.I.R. and no incriminating article has been recovered from his possession. Learned counsel submits that the petitioner is in custody since 09.09.2019.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the petitioner has been falsely implicated in this case without there being material against him, no incriminating article has been recovered from his possession, F.I.R. is against unknown, however, police has remanded him in this case on 09.09.2019 and since then he is rotting in jail, learned A.P.P. for the State has though opposed the prayer for bail on the ground of criminal antecedent but considering the facts and circumstances of the case wherein this Court finds that according to the petitioner he is on bail in the cases stated in paragraph '3', and so far as this case is concerned, he is in custody since 09.09.2019, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 25,000/-



(Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Shri Raj Kapoor, Judicial Magistrate, 1st Class, Bettiah, West Champaran in connection with Nautan Jagdishpur P.S. Case No. 180 of 2019 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.

This application stands disposed of accordingly.

(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'.

