

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31214 of 2021**

Arising Out of PS. Case No.-88 Year-2020 Thana- PRATAPGANJ District- Supaul

1. PAPPU YADAV @ PAPPU KUMAR @ PAPPU KUMAR YADAV SON OF KARI YADAV R/O VILLAGE- CHILHWA, P.S.- KISANPUR (KISHUNPUR), DISTRICT- SUPAUL.
2. MANISH KUMAR SON OF JAY PRAKASH YADAV R/O VILLAGE- MURLY (MURLI), P.S.- KISANPUR (KISHUNPUR), DISTRICT- SUPAUL.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Manish Kumar No 13, Advocate
For the Opposite Party/s : Mr.Jagdhar Prasad, APP.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 26-11-2021 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State in virtual court.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioners seek bail in connection with Pratapganj P.S. Case No. 88 of 2020 registered for the offences punishable under Sections 394/34 of the I.P.C.

According to prosecution case, on 24.06.2020 while the informant was going to Siliguri from his pickup van, four accused persons on two motorcycles stopped his vehicle and tied his hand. The miscreants took away his pickup van, cash of



Rs. 17,800 and a mobile phone.

Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. It is further submitted that police has recovered one mobile phone from possession of petitioner no. 1 but till today, no T.I. parade has been done by the police. Petitioners are in custody since 06.07.2020. Learned counsel further submits that co-accused, Angrej Yadav @ Angrej Kumar Yadav has been granted bail by a co-ordinate Bench of this court vide order dated 24.06.2021 passed in Cr. Misc. No. 6771 of 2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-divisional Judicial Magistrate, Birpur, Supaul in connection with Pratapganj P.S. Case No. 88 of 2020, subject to the following conditions:-

1. Petitioners shall co-operate in the trial



and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

(Rajesh Kumar Verma, J)

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