

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7942 of 2022**

Arising Out of PS. Case No.-2 Year-2020 Thana- CHANDRADIP District- Jamui

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Mithlesh Yadav @ Mithu Yadav S/O Sanjay Yadav R/o village- Acharyadih,  
P.S.- Sikandra, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Umesh Prasad

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

3      21-06-2022                      Heard learned counsel appearing on behalf of the  
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period  
of four weeks from today.

The petitioner seeks bail in connection with  
Chandradip P.S. Case No. 2 of 2020 registered for the offence  
under Section 392 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and  
is in custody since 24.03.2021.



The allegation against the petitioner is to commit robbery alongwith other co-accused persons and while committing so, taken away the motorcycle of the informant.

Learned counsel appearing on behalf of the petitioner submitted that the name of the petitioner surfaced on the basis of self confessional statement while apprehending in Khaira P.S. Case No. 33 of 2021. It has further been submitted that nothing incriminating has been recovered from the conscious physical possession of the petitioner in furtherance of self confession. It has further been submitted that no T.I.P. has been conducted and chargesheet has already been submitted in this case, as such there is no chance of tampering with the evidence. While concluding the argument, it has also been submitted that out of 12 cases, as mentioned in paragraph no.3 of the bail petition, petitioner is on bail in five cases.

Learned APP appearing on behalf of the State while opposing the prayer of bail raised its concern about the criminal antecedent of the petitioner, as mentioned in paragraph no.3 of the bail petition.

Considering the facts and circumstances as mentioned above, as the name of the petitioner surfaced on the basis of self confessional statement, leading to no recovery, which may



incriminate the petitioner in the present case, let the petitioner, above named, is directed to be released on bail in connection with Chandradip P.S. Case No. 2 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- 1<sup>st</sup>, Jamui, subject to the following conditions:

“(i) That accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(iii) That one of the bailors shall be



Sanjay Yadav, who is the father of the  
petitioner and deponent of the present bail  
petition.”

The physical appearance of I/O before the Court is  
dispensed with.

**(Chandra Shekhar Jha, J)**

Ankit/-

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