

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24582 of 2021**

Arising Out of PS. Case No.-302 Year-2019 Thana- DAUDNAGAR District- Aurangabad

AJIT YADAV @ AJIT SINGH YADAV @ AJIT KUMAR SON OF NARESH
YADAV R/O VILLAGE- UMARCHOK, P.S.- DAUDNAGAR, DIST.-
AURANGABAD

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhilesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Madan Kumar, APP

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

3 24-01-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with Daudnagar P.S. Case No. 302 of 2019 registered for the offence under Sections 395 and 397 of the Indian Penal Code.

According to the FIR, some unknown miscreants looted about Rs. 20 lacs from the informant and also injured the informant with gun shot injury.

Learned counsel appearing for the petitioner



submits that the petitioner is innocent and has falsely been implicated in this case. In fact, the petitioner has not been named in the F.I.R. but on the confessional statement of the co-accused, Pappu Yadav @ Ghamandi Yadav, this petitioner has been apprehended in this case. Neither anything incriminating has been recovered from the possession of the petitioner nor he has been put on T.I.P. as yet. Moreover, the co-accused, namely, Pappu Yadav @ Ghamandi Yadav has already been granted bail by a co-ordinate Bench of this Court vide order dated 12.01.2021 passed in Cr. Misc. No. 7907 of 2020. The petitioner is rotting in judicial custody since 28.08.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries twenty more cases other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Daudnagar, Aurangabad in connection with Daudnagar P.S. Case No. 302 of 2019 with the following conditions:-



(1) Petitioner 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

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.

(Rajesh Kumar Verma, J)

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