

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17826 of 2022**

Arising Out of PS. Case No.-172 Year-2021 Thana- DHAKA District- East Champaran

Satish Prasad Yadav Son of Kishori Prasad, R/o Village- Turkauliya, P.S.-  
Dhaka, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Krishna Kant Singh

For the Opposite Party/s : Mr. A.G

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

2      26-07-2022                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be  
removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the  
offences punishable under Section 379 of the Indian Penal  
Code.

According to prosecution case, as per the written  
application dated 14.04.2021 of the informant Md. Jaffar  
Immam given to officer-in-charge police station Dhaka, stating  
therein that on 12.04.2021 when the informant went to purchase  
the household articles after parking his Glamour motorcycle  
near High School, Dhaka market (water tank) found his  
motorcycle missing when he returned.



Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that in fact the petitioner is not named in the F.I.R. and he has been remanded in this case from another case i.e. Kundwa Chainpur P.S. Case No. 142 of 2021. He further submits that nothing has been recovered from the conscious possession of the petitioner and only on the basis of suspicion the petitioner has been apprehended by the SSB personnel. The petitioner remanded in the present case on 31.08.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Court below where the case is pending in connection with Dhaka P.S. Case No. 172 of 2021, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

3. 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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