

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29845 of 2021

Arising Out of PS. Case No.-266 Year-2019 Thana- JHANJHARPUR District- Madhubani

Dharmendra Yadav, S/o Kari Yadav R/o village- Siswabarhi, P.S.- Phulparas,
District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivnandan Bharti, Adv.

For the Opposite Party/s : Mr. Smt. Pushpa Sinha-I, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 19-01-2022 The matter has been listed today for consideration
through virtual mode.

Heard learned counsel appearing on behalf of the
petitioner as well as learned Additional Public Prosecutor
appearing for the State.

Let the defect(s) be removed within two weeks of
the complete start of the physical Court in normal course.

Petitioner who is in custody since 03.03.2020 seeks
bail in connection with Jhanjharpur P.S. Case No.266/2019
registered for the offence punishable under Section 461, 379 of
the IPC.

Prosecution case in brief, is that informant runs his
shop in the name of Mahalaxmi Electronics in the house of one
Dhiraj Jha. While he closed the shop on 21.11.2019 at about



08.30 PM in the morning of the following day he found that the shutter of his shop was cut and articles such as bulb, holder, copper wire, tube light etc. were found missing.

Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has not committed any offence, rather he has falsely been implicated in this case. Petitioner is not named in the FIR and has no concern with the alleged occurrence. There is no recovery of theft articles from the possession of the petitioner neither the petitioner has been put on TIP, till date.

Learned APP for the State submits that petitioner has confessed his guilt before the Darbhanga police and this is not a fit case in which he should be released on bail.

Considering the above-mentioned facts and circumstances of the case and is in custody since 03.03.2020, it is directed that the court below after verifying the criminal antecedent of the petitioner and if no other criminal case is pending against the petitioner as what has been stated in paragraph no.3 of the bail petition, the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.,



Jhanjharpur in connection with Jhanjharpur P.S. Case No.266/2019, subject to the following conditions:

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

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

(Purnendu Singh, J)

Prakash Narayan /-

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