

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19911 of 2022

Arising Out of PS. Case No.-460 Year-2021 Thana- KAHALGAON District- Bhagalpur

Mithun Yadav @ Mithun Kumar Yadav, S/O Umakant Yadav @ Umakant Bhagat R/O Village- Kabutar Khopi, Chanan, P.S.- Jeerawa Bari, District- Sahebganj (Jharkhand)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 01-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 395, 397 and 412 of the Indian Penal Code and Section 27 of the Arms Act.

The learned counsel for the petitioner submits that the petitioner has antecedent of one case, but the name of the petitioner in the said case transpired after the confessional statement of co-accused Arjun Singh was recorded in the present case.

The learned counsel for the petitioner submits that the informant alleges that five unknown criminals entered the bank



and looted Rs.2,23,673/- and escaped firing in the air.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. The F.I.R. is against unknown. It is also submitted that during course of investigation, one Arjun Singh @ Deva and Bhola Pandit were arrested, who in their confessional statement disclosed the name of the petitioner. It is next submitted that confessional statement in police custody does not have any evidentiary value.

Learned A.P.P. opposes the bail application and submits that the investigation still is going on.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five 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 Kahalgaon P. S. Case No.460 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C. with a condition that one of the bailors of the petitioner shall be his father namely, Umakant Yadav @ Umakant Bhagat.



The application stands allowed.

However, in the event, if any application is filed by the police before the learned trial Court bringing to its notice that the petitioner is not co-operating in the investigation, the learned trial Court shall forthwith cancel his bail bonds after recording reasons.

(Satyavrat Verma, J)

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