

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30077 of 2021

Arising Out of PS. Case No.-15 Year-2020 Thana- KADAMKUAN District- Patna

PINTU KUMAR @ PINTU YADAV S/O LATE RAJENDRA PRASAD
YADAV R/o- Lalji Tola, Gali No.- 02, P.S.- Gandhi Maidan, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nityanand Kumar, Advocate
For the Opposite Party/s : Mrs.Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-01-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in virtual court
proceeding.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Kadamkuan
P.S. Case No. 15 of 2020 registered for the offences punishable
under Section 392 of the IPC.

The FIR of the occurrence of loot is against unknown.

Learned counsel for the petitioner submits that
petitioner is not named in the FIR and he has falsely been
implicated in the present case. It is further submitted that name
of the petitioner has come on the basis of confessional statement



of co-accused Amit Kumar. Learned counsel further submits that nothing has been recovered from possession of the petitioner. Till today, no TIP has been conducted by the police. The police after investigation submitted charge sheet against the petitioner and petitioner is in custody since 06.09.2020.

The learned Additional Public Prosecutor vehemently opposed the prayer of bail on the basis of materials available on record as well as case diary. He submits that petitioner carries seven more cases in his credit.

Considering the aforesaid facts and circumstances as well as period of custody, 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 Additional Chief Judicial Magistrate-XII, Patna in connection with Kadamkuan P.S. Case No. 15 of 2020, 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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