

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23999 of 2022

Arising Out of PS. Case No.-23 Year-2021 Thana- Khutauna District- Madhubani

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Anuj Yadav Son of Ajit Yadav Resident of Village - Rautara, P.S.- Rautara,
Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumari Shubham, Adv.

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-08-2022 Heard the parties through video conferencing.

Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Khutauna P.S. Case No. 23 of 2021 lodged under Sections 379,
414, 411 and 34 of the I.P.C.

As per the prosecution case, the petitioner is named
accused in the present case and as per seizure list, recovery of
Super Splendor Motorcycle, one iron key with a view to open
dikki and one Samsung mobile was recovered from the
possession of the petitioner.

Learned counsel for the petitioner submits that

petitioner is innocent and has committed no offence. He further submits that he is in custody since 23.02.2021, charge sheet has already been filed in this case. On the point of his criminal antecedent, he submits that he is ready to fulfill all the conditions laid down by the Court. Learned counsel further submits that the other co-accused of this case Deepak Kumar Yadav has granted bail with Co-ordinate Bench of this Court in Cr. Misc No. 65721 of 2021 dated 11.05.2022. An allegation upon Deepak Kumar and the present petitioner is identical.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned ACJM – I, Jhanjharpur, District - Madhubani in connection with Khutauna P.S. Case No. 23 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates

without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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