

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24645 of 2022

Arising Out of PS. Case No.-229 Year-2021 Thana- BAKHARI District- Begusarai

BIPIN YADAV @ BIPIN KUMAR Son of Mahendar Yadav Resident of
Village - Sakra, P.s.- Garhpura, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 29-08-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

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

The petitioner seeks bail in connection with Bakhri
P.S. Case No. 229/2021 registered for the offences punishable
under Section 392 of the Indian Penal Code.

As per prosecution case, there is accusation against
the petitioner and others to have snatched the motorcycle,
Rs.11,500/-, Aadhar card, driving license, one mobile phone and
personal diary on the gun point.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. The petitioner is not named in the FIR, and no



incriminating article has been recovered from the possession of the petitioner. He further submits that the name of petitioner has surfaced in this case on the basis of confessional statement of co-accused, Rahul Kumar. The petitioner has not put on T.I. Parade. The petitioner is languishing in custody since 18.12.2021 and bears criminal antecedent of one case of similar nature. Learned counsel for the petitioner further submits that the looted motorcycle was recovered from co-accused, Rahul Kumar as mentioned in para 18 of the case diary and the same is also mentioned in impugned order. Except confessional statement nothing is found to demonstrate complicity of the present petitioner to the alleged occurrence. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, petitioner is not named in the FIR, charge sheet has already been submitted in this case and there is no likelihood of tampering with the prosecution evidence and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail



bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.- VIth, Begusarai, in connection with Bakhri P.S. Case No. 229/2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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