

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27774 of 2022

Arising Out of PS. Case No.-149 Year-2019 Thana- ANDHRAMATH District- Madhubani

Dipu Kr. Yadav Son of Brahamdeo Yadav Resident of Village - Chhatapur
Chhutta Tole, P.S.- Andhramath, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ravi Prakash, Advocate
	:	Mr.Gagandeo Yadav, Advocate
For the Opposite Party/s	:	Mr.Anil Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-08-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Sections 379,356,34 of IPC and after investigation police submitted chargesheet under Section 392 of IPC.

The informant lodged the case against four unknown persons and alleged that accused persons at the point of pistol snatched his bag containing laptop and other articles including the Hero Splendor Plus motorcycle.



Learned counsel appearing for the petitioner submits that in fact the petitioner is not named in the FIR. The name of the petitioner has been transpired on the basis of the confessional statement of the co-accused, namely, Rupesh Kumar Yadav. Further submits that nothing has been recovered from conscious possession of the petitioner and till date no TIP has been conducted by the prosecution and the petitioner was remanded in this case from Laukahi P.S. Case No.260 of 2021. Further submits that co-accused, namely, Rupesh Kumar Yadav has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 02.06.2020 in Cr.Misc. No.16284 of 2020 and the petitioner is in custody since 18.11.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

Considering the facts and circumstances of the case, 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 learned Court below where the case is pending in connection with Andharamath P.S. Case No.149 of 2019, with 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/her absence on two consecutive dates without sufficient reason, his/her 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.

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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