

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.27583 of 2022**

Arising Out of PS. Case No.-11 Year-2022 Thana- CHAKIA District- East Champaran

Umesh Yadav @ Umesh Prasad Yadav Son Of Chandrika Yadav R/O Village-  
Nimui (WARD No.-11), P.S.- Sugauli, District- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Madhav Jha, Advocate

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

3      12-08-2022                      Heard learned counsel for the petitioner and  
learned APP for the State in Virtual Court Proceeding.

Let the defect(s), if any, as pointed out by the  
office, be removed within four weeks.

The petitioner is in custody in connection with  
Chakiya P.S. Case No. 11 of 2022 under sections 401, 413 and  
414 of the Indian Penal Code.

Allegation against the petitioner is that when the  
police upon information raided the shop of accused Ram Balak  
Prasad, some scrap materials of the road roller were  
recovered/seized. He in his confessional statement stated that  
about was this petitioner who used to sell those scraps to him.  
Accordingly, the petitioner has also been implicated in this case.

Learned counsel for the petitioner submits that he



is sole bread earner of the family and his implication in this case and in jail since 8.1.2022 (as stated in para-12 of the bail application) has led to starvation in the family. He further submits that co-accused Ram Balak Prasad on whose confessional statement his name has cropped up, has since been released on bail vide Cr. Misc. No. 15534 of 2022 on 11.7.2022.

Taking into account that the petitioner's name has come in confessional statement of co-accused who has since been released on bail, he is in custody since 8.1.2022 and the charge-sheet has been submitted, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, in connection with Chakiya P.S. Case No. 11 of 2022 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of



bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

**(Rajiv Roy, J)**

Ravi/-

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