

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.31992 of 2022

Arising Out of PS. Case No.-492 Year-2020 Thana- RANIGANJ District- Araria

Ramesh Yadav @ Ramesh Ku Yadav S/o Maheshwar Yadav Resident of
Village- Dhima, P.O.- Dhima, Ward No.17, P.S.- Banmankhi, District- Purnea.
... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 31-08-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Section 392 of the Indian Penal
Code.

According to prosecution case, on 06.10.2020 the
informant Sunita Devi had gone to withdraw the money from
S.B.I. Bank, Raniganj and withdrawn Rs.40,000/- and in course
of returning, when she reached near at garden situated nearby
the Raniganj-Forbesganj main road in the meantime four
persons riding on two motorcycles came from behind and over
take the motorcycle and out of them one persons came to the
informant and on the point of fire arm took out the key of



motorcycle and got open the dickey and took out of Rs.40,000/-, Adhar Card and Bank passbook and fled away.

Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case only on the basis of suspicion. He further submits that petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation. He further submits that nothing incriminating article has been recovered from the conscious possession of the petitioner and till date no TIP has been conducted by the prosecution and petitioner has no concern at all with the alleged occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 28.03.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries three criminal antecedents other than the present one.

Considering the aforesaid facts and circumstances, 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 Court



below where the case is pending in connection with Raniganj
P.S. Case No. 492 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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