

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.42356 of 2021**

Arising Out of PS. Case No.-50 Year-2020 Thana- BARARI District- Katihar

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Tufani Yadav, S/O Late Anil Yadav, R/O-Barai Bhais Diara, Bahadurpur Tola,
P.S-Barari, District-Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar Singh, Advocate
For the Opposite Party/s	:	Mr.Sanjay Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 15-02-2022 As prayed, learned counsel for the petitioner is permitted to make correction as regards the provisions under which the case has been registered.

Learned counsel for the petitioner undertakes to remove the defects as pointed out by the Stamp Reporter within four weeks after start of normal functioning of this Court.

Heard learned counsel for the petitioner and Mr. Sanjay Kumar Singh, learned APP for the State.

The petitioner in the present is seeking regular bail in connection with Barari P.S. Case No. 50 of 2020 registered for the offences punishable under Sections 379, 411 of the Indian Penal Code. The petitioner is in custody since 12.03.2020. He has got two criminal antecedents.



Learned counsel for the petitioner submits that as per the prosecution story, the petitioner has committed theft of he-goat of the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the petitioner is in custody since 12.03.2020 and investigation against him is complete.

Mr. Sanjay Kumar Singh, learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Having regard to the nature of the offence alleged, the fact that the petitioner has got two criminal antecedents but in connection with the present case, he has remained in custody since 12.03.2020 i.e. for almost two years, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Barari P.S. Case No. 50 of 2020, subject to the conditions as laid down under Section 437(3) of the Cr.P.C.

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 an-



tecedent, 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.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court web-site under the heading 'Judicial Orders Passed During The Pandemic Period'.

