

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46021 of 2021**

Arising Out of PS. Case No.-623 Year-2019 Thana- MADHEPURA District- Madhepura

DILKHUSH KUMAR @ DILKHUSH YADAV Son of Ramvilas Yadav @
Ramvilash Yadav Resident of Village - kabiyahi, P.S. - Shankarpur, District -
Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 21-02-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with
Madhepura (Bharrahi O.P.) P.S. Case No. 623 of 2019
registered for the offence under Sections 392 of the Indian
Penal Code.

The two unknown persons are said to have
snatched the money bag of the informant on the point of
gun.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case. In fact, the petitioner has not been
named in the F.I.R. but on the basis of disclosure made by the



spy, name of this petitioner has surfaced in this case. He further submits that neither the petitioner has been put on T.I.P. nor anything incriminating has been recovered from his exclusive possession. The police after investigation has submitted charge sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 06.02.2021.

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

Considering the facts and circumstances of the case, let the, above named, petitioner 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 C.J.M.-Madhepura in connection with Madhepura (Bharrahi O.P.) P.S. Case No. 623 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 canceled 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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