

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49683 of 2021

Arising Out of PS. Case No.-18 Year-2021 Thana- MOKAMA RAIL P.S. District- Patna

Rajkumar Yadav, S/o Darogi Yadav @ Darroga Yadav, R/o village- Banshipur,
P.S.- Kiul, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi, Advocate
For the Opposite Party/s : Mr. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 08-08-2022 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, within a period of four weeks from today.

Heard Mr. Parmanand Prasad Narayan Sahi, learned counsel appearing on behalf of the petitioner and learned APP for the state.

The petitioner seeks regular bail, who is in custody in connection with Mokama G.R.P. P.S. Case No. 18 of 2021 (GR No. 100 of 2021) registered for the offences punishable under Sections 379, 411, 414 of the Indian Penal Code.

As per the prosecution case it is alleged that while R.P.F Mokama Task Force and other members were patrolling in train, they saw a person standing with blue bag and on noticing the police party, the person get frightened and started fleeing away however he was apprehended by the patrolling team and



on search a lady purse, containing several items were recovered. It is also alleged that the recovered items were identified by the victim.

Learned counsel appearing on behalf of the petitioner submits that admittedly the case has not been instituted by the victim nor seizure list contains the signature of any independent witnesses and the petitioner is in custody since 18.03.2021. It is next submitted that only because of the past antecedent, the name of the petitioner has been implicated in this case on suspicion.

On the other hand, learned counsel for the State opposes the bail application and submits that this petitioner is named in four other similar kind of cases and he appears to be habitual offender.

Having regard to the submissions made on behalf of the parties and considering the period of custody of the petitioner, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XXI, Patna in connection with Mokama G.R.P. P.S. Case No. 18 of 2021 (GR No. 100 of 2021), subject to the condition that one of the bailors will be the



close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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