

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54641 of 2021

Arising Out of PS. Case No.-98 Year-2020 Thana- GWALPARA District- Madhepura

=====

PRAKASH KUMAR @ ARUN KUMAR @ ARUN KUMAR YADAV Son
of Virendra Yadav @ Virendra Prasad Yadav Resident of Village- Balatol,
Ward No. 10, P.S.- Puraini, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-01-2022 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State in virtual court

proceeding.

Let the defects, as pointed out by the office, be

removed within four weeks of start of normal functioning of the

physical court.

Petitioner seeks bail in connection with Gwalpara P.S.

Case No. 98 of 2020 registered for the offences punishable

under Section 379 of the IPC.

The FIR of the occurrence of loot is against unknown.

Learned counsel for the petitioner submits that

petitioner has committed no offence and he has falsely been

implicated in the present case. Petitioner is not named in the



FIR. No incriminating article has been recovered from possession of the petitioner. Police after investigation submitted charge sheet against the petitioner. Petitioner is in custody since 23.01.2021.

The learned Additional Public Prosecutor opposed the prayer of bail submitting that petitioner carries two criminal antecedent.

Considering the aforesaid facts and circumstances as well as period of custody, 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 Additional Chief Judicial Magistrate-II, Udakishunganj, Madhepura in connection with Gwalpara P.S. Case No. 98 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)

shahzad/-

U		T	
---	--	---	--

