

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.49084 of 2021**

Arising Out of PS. Case No.-312 Year-2021 Thana- MADHEPURA District- Madhepura

Amit Yadav @ Amit Anand S/O Gajendra Prasad Yadav R/o village- Simraha,  
Ward No.- 35, P.S.- Saharsa, District- Saharsa, Bihar

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 55437 of 2021**

Arising Out of PS. Case No.-312 Year-2021 Thana- MADHEPURA District- Madhepura

Sant Raj Sharma S/o Late Rajeshwar Sharma @ Rajeshwar Das R/o village-  
Subedari Tola, P.S.- Saharsa, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 49084 of 2021)

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate

Mr. Preety Kunwar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 55437 of 2021)

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

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

4      29-03-2022                      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be  
removed within four weeks of start of normal functioning of the  
physical court.

Petitioners seek bail in a case registered for the  
offences punishable under Sections 392 of the Indian Penal



Code and Section 27 of the Arms Act.

According to prosecution case, informant is a Branch Manager in Bharat Finance Ujjawal Ltd. at Jai Prakash Nagar, Madhepura. On 09.04.2021 four unknown criminals loaded with arms entered into the office of his where he was working on computer and they closed him and a labour in the bathroom and demanded key of safe locker and after opening fire three persons lifted safe locker went outside from the office which was containing Rs.6,78,989/- and mobile of informant and threaten to keep silent.

Learned counsel for the petitioners submits that petitioners are not named in the F.I.R. innocent and they have falsely been implicated in the present case only on the basis of suspicion. He further submits that till date no TIP has been conducted by the prosecution and nothing has been recovered from the possession of the petitioners and police after investigation submitted the charge sheet against the petitioner. The petitioners are in custody since 15.04.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing



bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Madhepura P.S. Case No. 312 of 2021, subject to the following conditions:-

1. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners tamper 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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