

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57582 of 2021

Arising Out of PS. Case No.-585 Year-2020 Thana- SHERGHATI District- Gaya

AKHILESH KUMAR @ AKHILESH YADAV Son of Suresh Yadav Resident
of Village- Churawandih (Husainganj), P.S.- Bankey Bazar (Raushanganj),
District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-02-2022 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 Sherghatti
(Dobhi) P.S. Case No. 585 of 2020 registered for the offences
punishable under Section 379 of the IPC.

The FIR of the occurrence of theft of motorcycle is
against unknown.

Learned counsel for the petitioner submits that
petitioner is not named in the FIR and he has falsely been



implicated in the present case only on the basis of suspicion. It is further submitted that nothing has been recovered from conscious possession of the petitioner. He further submits that name of the petitioner has been transpired in this case on the basis of self confessional statement of petitioner. He further submits that co-accused Upendra Yadav @ Upendra Kumar has been granted bail by this court vide order dated 22.01.2022 passed in Cr. Misc. No. 54687 of 2021. Petitioner is in custody since 03.02.2021.

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

Considering the aforesaid facts and circumstances, 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, Sherghati, Gaya in connection with Sherghatti (Dobhi) P.S. Case No. 585 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)

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