

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58009 of 2021**

Arising Out of PS. Case No.-111 Year-2020 Thana- PHULWARIA District- Begusarai

RAM KUMAR YADAV Son of Sonelal Yadav Resident of Village - Pipra
Devar, P.S.- Barauni, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Chandra, Adv.

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

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

2 02-02-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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 Phulwaria P.S. Case No. 111 of 2020 registered for the offence under Sections 392 and 397 of the Indian Penal Code.

Some unknown persons are said to have assaulted the informant along with his maternal uncle and snatched Rs. 80,000/- .

Learned counsel appearing for the petitioner



submits that the petitioner is innocent and has falsely been implicated in this case. In fact, the F.I.R. is instituted against the unknown persons and the petitioner has been made accused in this case on the basis of confessional statement of the co-accused, namely, Chandan Kumar. Nothing incriminating has been recovered from the conscious possession of the petitioner and no T.I.P. has been conducted by the prosecution till date. The police after investigation has submitted charge sheet against the petitioner in this case. The petitioner is rotting in judicial custody since 23.01.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries three more cases of similar nature 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 A.C.J.M.-I, Begusarai in connection with Phulwaria P.S. Case No. 111 of 2020 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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