

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58566 of 2021

Arising Out of PS. Case No.-111 Year-2021 Thana- SAHPUR District- Bhojpur

Binod Yadav @ Binod Kumar Son of Ram Yadi Yadav Resident of Village-
Jamuninar, Post Office, Kolhuva, Police Station- Adharura, District- Kaimur
(Bhabua)

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Pathak
For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-04-2022 Heard learned counsel for the petitioner 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.

Petitioner seeks bail in a case registered for the offences punishable under Section 392 of the Indian Penal Code.

According to the prosecution case one Sunil Kumar gave a written statement stating therein that he along with Akash Kumar was proceeded from Patna to Jamaniya with Pick-up van on 22.4.2021. It is alleged that on 23.4.2021 four persons riding on two motorcycle without number plate overtake his vehicle and stopped the vehicle and snatched the key of van on the point



of country made pistol on four lane near the village Kundesar. It is further stated that tow have taken away the van and two were taken away the bike towards Buxar. It is also stated that cash amounting Rs.31,500/- and two big mobile phones was present in the said vehicle.

Learned counsel for the petitioner submits that petitioner is innocent and petitioner is not named in the F.I.R. and he has falsely been implicated in the present case only on the basis of suspicion. He further submits that in fact petitioner has purchased the vehicle in question from the co-accused namely Ravi Ranjan Rajak. He further submits that the vehicle in question was not recovered from the possession of the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 29.05.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries three criminal antecedent other than the present one.

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 Court below where the case is pending in connection with Shahpur P.S. Case No. 111 of 2021, 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)

mdrashid/-

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

