

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59784 of 2021

Arising Out of PS. Case No.-160 Year-2020 Thana- KHAIRA District- Jamui

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Tuntun Yadav S/O Wasuli Yadav @ Bindeshwari Yadav R/O Village-
Chaukitand, P.S- Khaira, District-Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Mr. A.G.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-02-2022 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 Khaira P.S.

Case No. 160 of 2020 registered for the offences punishable

under Sections 392 of the Indian Penal Code.

According to prosecution case, the informant has

alleged that he worked as SBI, Customer Service Centre situated

at Gopalpur and as per his professional work he used to deposit

the cash of the customers, on way to the Bank Branch Office

three persons on a pulsar motorcycle stopped him and snatched



the entire amount on the point of pistol.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence and he has falsely been implicated in the present case on the basis of confessional statement of co-accused namely Pintu Yadav. He further submits that petitioner is not named in the F.I.R. and nothing has been recovered from conscious possession of the petitioner, rather the recovery has been made from the possession of the co-accused person. It is further submitted that till date no TIP has been conducted by the prosecution. The petitioner is in custody since 14.12.2020.

The learned Additional Public Prosecutor vehemently opposed the prayer for bail, submitting that petitioner carries two criminal antecedents.

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 Chief Judicial Magistrate, Jamui in connection with Khaira P.S. Case No. 160 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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