

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60677 of 2021

Arising Out of PS. Case No.-229 Year-2020 Thana- RAJNAGAR District- Madhubani

VISHNU KUMAR YADAV S/o Late Lohara Yadav R/o village- Naya Tola,
Jurabganj, P.S.- Korha, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand,Adv

For the Opposite Party/s : Mr.Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-02-2022 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 in virtual Court proceeding.

The petitioner seeks bail in connection with CRI Case No.1704 of 2020 arising out of Rajnagar P.S.Case No.229 of 2020 registered for the offence under Sections 379 and 34 of the Indian Penal Code.

According to prosecution case, one Raghu Nath Ram gave a written statement before the Officer-in-Charge of Rajnagar police station stating therein that he withdrew Rs.15,000/- from Punjab National Bank Branch Rajnagar, kept the money and passbook into Dickey of the motorcycle. It has



been also stated that he parked his motorcycle in the market and was purchasing the medicine and after purchased the medicine informant was returned and seeing the Dickey of the motorcycle broken, any unknown person stolen the said containing Rs.15,000/- and passbook from the Dickey of the motorcycle.

Learned counsel appearing for the petitioner submits that the petitioner is not named in the FIR. He further submits that the name of the petitioner has transpired on the basis of self-confessional statement of the petitioner. He further submits that there is no eye witness of the alleged occurrence and till date no T.I. Parade has been conducted by the prosecution and the petitioner is in custody since 18.09.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

Considering the facts and circumstances of the case, 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 learned Chief Judicial Magistrate, Madhubani in connection with CRI Case No.1704 of 2020 arising out of Rajnagar P.S.Case No.229 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 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.

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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