

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61254 of 2021**

Arising Out of PS. Case No.-35 Year-2021 Thana- DUMRAO District- Buxar

Deepak Kumar Yadav S/O Late Triloki Singh R/O Village-Nathuni Ke Bagh,
P.S.-Dumraon, District-Buxar.

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar, Advocate

For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

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

2 25-02-2022 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 Dumraon P.S.
Case No. 35 of 2021 registered for the offences punishable
under Sections 379 of the Indian Penal Code and after
completion of investigation charge sheet submitted against the
petitioner on 31.07.2021 under Section 392 and 412 of the
Indian Penal Code.

According to prosecution case, the informant returning
to home from Buxar with his motorcycle Hero HF Delux and



stood up bike near Dumrajani Mal Gate Dwaraon and some miscreants taken away the bike and fled away.

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. He further submits that petitioner is not named in the F.I.R. and the name of the petitioner has been transpired only on the basis of confessional statement of co-accused namely Deepak Tiwari @ Tinda and Amar Yadav. He further submits that nothing has been recovered from conscious possession of the petitioner, rather the recovery has been made from the co-accused and till date no TIP has been conducted by the prosecution. The petitioner is in custody since 13.07.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail on the ground that petitioner carries four 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, Buxar in connection with Dumraon P.S. Case No. 35 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	
---	--	---	--

