

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.62165 of 2021**

Arising Out of PS. Case No.-40 Year-2021 Thana- BASOPATTI District- Madhubani

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Suman Kumar Yadav Son Of Rangbahadur Yadav R/O Village- Chhaprahi,  
P.S.- Khajauli, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Subhash Kumar Jha, Adv

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

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

4      28-04-2022                      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.

A supplementary affidavit, carrying out necessary correction in the main petition, has been filed on behalf of the petitioner, which is kept on record.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Section 392 of the IPC.

The FIR of the occurrence of loot is against unknown. Allegation is that the miscreants, who entered inside the house of the informant, had looted away a sum of Rs.7 lakhs and one mobile containing a sim.



Learned counsel appearing for the petitioner submits that the petitioner is not named in the FIR. Name of the petitioner has been transpired on the basis of self-confessional statement of the petitioner. He further submits that nothing has been recovered from conscious possession of the petitioner and till date no T.I. Parade has been conducted by the prosecution and the police after, investigation, submitted chargesheet against the petitioner. He further submits that the similarly situated co-accused, namely, Pramod Singh @ Pramod Kumar Singh has been granted bail vide order dated 04.04.2022 in Cr. Misc. No.70083 of 2021 and several co-accused persons have also been granted bail by different Coordinate Benches of this Hon'ble Court and the petitioner is in custody since 08.04.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries six 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 Court below where the case is pending in connection with Basopatti P.S. Case No.40 of 2021, 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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