

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61568 of 2021**

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

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AMAR KUMAR @ AMAR YADAV Son of Hira Ratan Yadav Resident of
Village - Nachap, P.S.- Murar, Distt.- Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Shankar Pathak, Adv

For the Opposite Party/s : Ms.Indu Kumari Srivastava, APP

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

2 25-03-2022 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 learned
APP for the State in virtual Court proceeding.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 379, 392,412 of the Indian
Penal Code.

According to prosecution case, brother of the
informant returning to home from Buxar with his motorcycle
Hero HF Delux and stand up bike near Dumrajani Mal Gate
Dwaraon and some miscreants taken away the bike and fled
away.

Learned counsel appearing for the petitioner submits



that the petitioner is not named in the FIR. He has falsely been implicated in the present case only on the basis of suspicion. 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. He further submits that similarly situated co-accused, namely, Deepak Kumar Yadav has been granted bail vide order dated 25.02.2022 in Cr. Misc. No. 61254 of 2021 by this Hon'ble Court and the petitioner is in custody since 09.07.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries four 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 Dumraon Police Station Case No.35 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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