

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52869 of 2022

Arising Out of PS. Case No.-208 Year-2022 Thana- JHAJHA District- Jamui

CHHOTI YADAV

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL ORDER

2 09-12-2022 The petitioner has sought for regular bail under Section 439 and 440 of the Code of Criminal Procedure. He is alleged to have involved in P.S Case Jhajha 208 of 2022 for the offence under Section 392 of Indian Penal Code pending in the Court of Chief Judicial Magistrate, Jamaui. Informant-Sreekant Kumar gave a complaint against unknown miscreants looted informant's Redmi Note 4 Pro mobile phone, cash bag containing cash amount of Rs.98,650/-, Bio-metric machine. In Para 10 of the case diary CCTV footage was noticed relating to committing the offence. Similarly, Para 62,65,71 and 72 of the case diary shows that suspected-Madan Yadav who has been arrested. In his confessional statement Chhoti Yadav name is revealed that petitioner is also actively participated in the alleged offence. These material information has been taken note



of by the learned Sessions Judge, Jamaui while rejecting the bail application No. 555 of 2022 on 16.08.2022. The matter is under still investigation. Learned counsel for the petitioner submitted that Madan Yadav has been granted bail by the Trial Court, therefore, he is also entitled to regular bail at the hands of this Court. It is *prima facie hearsay* version of the arrested accused Madan Yadav resulted in cropping of the name of the petitioner. The matter is still under investigation. In the light of the fact that main accused has been granted bail by the Trial Court. The petitioner is also entitled to regular bail.

In the light of these facts and circumstances, petitioner has made out *prima facie* for grant of regular bail. Accordingly, bail application is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui, in connection with Jhaja, Police Station Case No. 208/2022, subject to following conditions:-

(i) The petitioner shall co-operate in investigation and in conclusion of the trial.

(ii) He shall remain present on each and every date of trial till conclusion of trial.



(iii) He shall not try to tamper with the evidence or intimidate the witness to delay the conclusion of trial.

(iv) In the event of default of two consecutive dates without any valid reasons, his bail bonds is liable to be cancelled.

(v) The Court below shall verify the criminal antecedent of the petitioner and in the case, at any stage, it is found that petitioner had concealed his criminal antecedent, the court below or investigating authority shall take immediate step for cancelling bail bond of the petitioner. However, acceptance of bail bonds, in terms of the aforementioned order shall not be delayed for this purpose or in the name of verification.

(P. B. Bajanthri, J)

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