

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65721 of 2021

Arising Out of PS. Case No.-23 Year-2021 Thana- KHUTAUNA District- Madhubani

DEEPAK KUMAR YADAV, Son of Shivchandra Yadav, Resident of Village-
Rautara, P.S.- Rautara, District- Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms.Kumari Shubham, Advocate

For the Opposite Party/s : Mr.Choubey Jawahar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-05-2022 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within two weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.Choubey Jawahar, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Khutauna P.S. Case No. 23 of 2021 registered for the offences punishable under Sections 379, 414, 411, and 34 of the Indian Penal Code. He has got one criminal antecedent as stated in paragraph '3' of this application. The petitioner is in custody since 23.02.2021.

Learned counsel for the petitioner submits that the informant who is the A.S.I. of Police apprehended three persons on two motorcycles and arrested them when they failed to produce the documents of the seized motorcycle from the



apprehended three persons. The petitioner is one of them. It is alleged in the FIR that the apprehended persons accepted before the informant that they committed theft of seized motorcycles and are involved in committing theft of money from the dickey of the motorcycles.

Learned counsel submits that the petitioner is innocent and has committed no offence rather he has falsely been implicated in this case. He is in custody since 12.07.2021 and investigation against him is complete.

Mr.Choubey Jawahar, learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the materials showing that this petitioner is in custody in connection with this case since 23.02.2021, the recovery is said to be of a stolen motorcycle and it appears that the petitioner had only one criminal antecedent as stated in paragraph '3', this Court directs release of the petitioner above named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned ACJM- I, Jhanjharpur, Madhubani in connection with Khutauna P.S. Case No. 23 of 2021, subject to the condition as laid down under Section 437(3) Cr.P.C.



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 steps 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.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

