

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72080 of 2021

Arising Out of PS. Case No.-342 Year-2020 Thana- PIPRA District- Supaul

Subodh Yadav @ Subodh Kumar Son of Shatrudhan Yadav Resident of
Village- Kasha, Ward No. -03, P.S.- Tribeniganj, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-05-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

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 a case registered for the offences punishable under Section 392 of the Indian Penal Code.

According to prosecution case, on the basis of the written report of the informant the instant case has been registered against two unknown culprits and it is alleged there in that on 28.12.2020, while the informant was going to Consumer Center with cash of rupees two lacks and in the way to Consumer Center two unknown culprits on the point of fire



arms looted the money and flee away with their motorcycle.

Learned counsel for the petitioner submits that petitioner is innocent 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 on the basis of confessional statement of co-accused namely, Gajendra Pandit and the self confessional statement of the petitioner. He further submits that nothing has been recovered from the conscious possession of the petitioner and till date no TIP has been conducted by the prosecution. The petitioner is in custody since 01.07.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries three criminal antecedents other than the present one.

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 Court below where the case is pending in connection with Pipra P.S. Case No. 342 of 2020, 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)

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