

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5818 of 2023

Arising Out of PS. Case No.-187 Year-2022 Thana- KOPA District- Saran

JITENDRA YADAV @ JITAN PRASAD @ JITAN YADAV Son of Dharam
Nath Ray R/V- Kopa Chatti PS- Kopa Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anjani Parashar, Advocate

For the Opposite Party/s : Mrs.Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-05-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since 24.10.2022 in connection with Kopa P.S. Case No. 187 of 2022, F.I.R. dated 23.10.2022 registered for the offence punishable under Sections 379 and 411 of the IPC .

The informant alleged that on 22.10.2022-23.10.22, co-accused persons, namely, Vishal Prasad and Anshu Manjhi had theft the batteries from two tractors of the informant.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. Petitioner is not named in the FIR. The name of the petitioner has been transpired on the basis of suspicion. Further submits that there is non-compliance of Section 100 of Cr.P.C.



and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 24.10.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries one more case other than the present one but fairly submits that the petitioner is on bail in the said case.

Considering the aforesaid facts, 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 J.M. 1st Class, Saran at Chapra in connection with Kopa P.S. Case No. 187 of 2022, 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.

(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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