

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11886 of 2023

Arising Out of PS. Case No.-243 Year-2020 Thana- MOHANIYA District- Kaimur (Bhabua)

BHULAN YADAV @ PREM RANJAN KUMAR S/O LATE GOVIND
YADAV @ LATE GOKHUL YADAV R/v- English Chandi, P.S.- Sanjhawali,
District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Adv.

For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-05-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Mohania
P.S. Case No. 243 of 2020 dated 11.08.2020 registered for the
offence under Sections 392 of the Indian Penal Code.

Three unknown miscreants are alleged to have looted
mobile, cash of Rs. 38500/- along with ATM card and also the
belongings of the informant and his companion on the point of
gun.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. He further submits that the petitioner has not been
named in the F.I.R., however, his name transpired in this case on
the basis of confessional statement of the co-accused, Sunil



Kumar Ram @ Langra in connection with Mohanian P.S. Case No. 265 of 2020. He further submits that, in fact, nothing incriminating, as alleged in the F.I.R., has been recovered from the conscious possession of the petitioner and till date no TIP has been conducted by the prosecution. He further submits that the co-accused, namely, Deepak Kumar Singh, whose name has surfaced in this case on the disclosure of the co-accused, Sunil Kumar Ram, has already been granted bail by the court below itself vide order dated 13.11.2020 passed in B.P. No. 416 of 2020. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 12.09.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries three more cases other than the present one but he is on bail in all three cases.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 Chief Judicial Magistrate, Kaimur at Bhabhua in connection with Mohania P.S. Case No. 243 of 2020 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 canceled 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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