

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No. 7595 of 2023**

Arising Out of PS. Case No.-997 Year-2022 Thana- FORBESGANJ District- Araria

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AMOD YADAV SON OF DEVENDRA YADAV R/O VIRATNAGAR,  
WARD NO.16, DISTRICT- MORANG (NEPAL)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Md Fazle Karim, Adv.

For the Opposite Party/s : Mr. Zainul Abedin, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
ORAL ORDER

2      05-05-2023                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since  
21.09.2022 in connection with Forbesganj P.S. Case  
No.997/2022, F.I.R. dated 19.09.2022, for the offences  
punishable under Sections 392 of the Indian Penal Code and  
later on Section 412 of the Indian Penal Code was added.

According to prosecution case, some unknown  
miscreants on the point of gun took Rs. 35,000/- from the  
informant and thereafter they fled away.

Learned counsel for the petitioner submits that  
petitioner has clean antecedent and he has falsely been  
implicated in the present case. He further submits that the  
petitioner is not named in the F.I.R. The name of the petitioner



has been transpired during investigation on the basis of the confessional statement of co-accused, namely, Pawan Kumar and nothing has been recovered from possession of the petitioner rather the recovery has been made from the co-accused person and till date no T.I.P. has been conducted by the prosecution. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 21.09.2022.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

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 C.J.M., Araria in connection with Forbesganj P.S. Case No. 997/2022, 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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