

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9412 of 2023

Arising Out of PS. Case No.-808 Year-2022 Thana- DEHRI TOWN District- Rohtas

1. Anup Kumar Yadav Son Of Harigun Yadav @ Harigen Yadav R/O Village- Laltapur, P.S.- Chakarhatta, District- Chandauli, State- Uttar Pradesh
2. Shashi Kant Yadav @ Guddu Son Of Hari Charan Das Yadav R/O Village- Pachpediya Garhwa, P.S.- Chakarhatta, District- Chandauli, State- Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Kumar

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 29-05-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners seek bail in connection with Dehri
Town P.S. Case No. 808 of 2022, registered for the offences
punishable under Sections 406, 420, 467, 468 and 471/34
of the Indian Penal Code.

As per allegation, all the accused persons, including
the petitioner misappropriated the grains of the informant
loaded on a truck. The petitioners were alleged to be the
cleaner and driver of the alleged truck.

Learned counsel for the petitioners submits that
the petitioners are innocent and have falsely been implicated



in this case. He further submits that during investigation, no incriminating material has been collected against the petitioner and only on the basis of suspicion, the petitioner has been roped in in the present case. The charge sheet has already been submitted.

He further submits that the petitioners have been languishing in jail since 22.11.2022.

It has also been stated in paragraph no. 3 of the bail petition that earlier the petitioners have been made accused in two other cases.

It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one.

However, learned APP for the State vehemently opposes the prayer of the petitioners for bail.

Considering the suspicious nature of allegation against the petitioner and period under custody, **this application is allowed**, directing the petitioners, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of ₹10,000/- (Ten Thousand) each with two



sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Dehri, Rohtas, in connection with Dehri Town P.S. Case No. 808 of 2022, on the following conditions:

(i) The petitioners will make themselves available for interrogation by a police officer/court as and when required.

(ii) The petitioners will undertake that investigation/trial will not get hampered on account of their absence or non-cooperation. they must be available to the police or the court whenever his presence is required.

(iii) The petitioners shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioners have concealed their criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied



that the petitioners have concealed their criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

Ld. counsel for the petitioners is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

Amrendra/-

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