

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11921 of 2023**

Arising Out of PS. Case No.-588 Year-2022 Thana- GARDANIBAG District- Patna

DHARMENDRA YADAV @ CHHOTU Son of Bundel Lal Yadav R/o B-
Area, Mithapur, P.s- Jakkanpur, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak, Adv.

For the Opposite Party/s : Mr. Binod Kumar, APP

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

2 08-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
01.11.2022 in connection with Gardanibagh P.S. Case
No.588/2022, F.I.R. dated 05.10.2022, for the offences
punishable under Sections 457, 380 of the Indian Penal Code.

According to prosecution case, while the informant
along with his family members out of station in the night and
when he came to the house in the morning, he found that all the
jewelry worth Rs. 1,50,000/- and cash of Rs. 50,000/- missing
from his house.

Learned counsel for the petitioner submits that the
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 on the basis of C.C.T.V. footage and mobile phone, which was recovered from the possession of the petitioner. He further submits that the alleged recovery of motorcycle belongs to the brother of the informant 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 01.11.2022.

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 J.M.1st Class, (Shri Shivam Singh), Patna in connection with Gardanibagh P.S. Case No.588/2022, 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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