

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15588 of 2023

Arising Out of PS. Case No.-7 Year-2022 Thana- MADHEPUR District- Madhubani

SHOBHIT YADAV S/O Rameshwar Yadav R/O Village- Jhagarua, P.S-
Jamalpur, District- Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Adv.

For the Opposite Party/s : Mr. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-06-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Madhepur P.S. Case No. 07 of 2022 dated 11.01.2022/ G.R.
No. 58 of 2022 registered for the offence under Sections 392
of the Indian Penal Code.

The case relates to loot of bag of the informant
after being assaulted by the unknown miscreants.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, 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 during



course of investigation on the basis of CDR received from the technical branch of the office of S.P., Madhubani in which it is recorded that looted mobile was used in the alleged occurrence. He further submits that the number which was alleged to have been used in the occurrence is registered in the name of wife of the petitioner which is not a looted mobile. Save and except the CDR, no cogent material has surfaced in this case against the petitioner. Neither the petitioner has been put on T.I.P. as yet. 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 07.11.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

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 Judicial Magistrate-1st Class, Jhanjharpur, Madhubani in connection with Madhepur P.S. Case No. 07 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 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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