

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14149 of 2023

Arising Out of PS. Case No.-497 Year-2022 Thana- GOVINDGANJ District- East
Champaran

SHATRUDHAN YADAV Son of Viran Yadav Resident of Village - Kritpur,
P.S. - Harsidhi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
05.10.2022 in connection with Govindganj P.S. Case
No.497/2022, F.I.R. dated 05.10.2022, for the offences
punishable under Sections 379, 381, 411 and 34 of the Indian
Penal Code.

According to prosecution case, the petitioner being the
cleaner of the truck is alleged to have committed theft of a truck
loaded with 25 tons of wheat floor, on which he himself was a
khalasi.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been



implicated in the present case merely on the basis of suspicion. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 05.10.2022.

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., East Champaran at Motihari in connection with Govindganj P.S. Case No.497/2022, 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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