

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21035 of 2023**

Arising Out of PS. Case No.-105 Year-2022 Thana- BELCHHI District- Patna

Yogendra @ Yogi Son Of Late Dwarika Mahto Resident Of Village-
Govindpur, P.S.- Belchi, District- Patna.

.. ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey, Advocate
For the Opposite Party/s : Mrs.Rita Verma,APP

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

3 06-07-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
24.11.2022 in connection with Belchhi P.S. Case No. 105 of
2022, F.I.R. dated 22.11.2022 registered for the offence
punishable under Section 364(A) of IPC.

The prosecution case, in short, is that co-accused,
namely, Nagendra Paswan has abducted the informant and he
has demanded the money from the family members of the
informant and the family members of the informant paid the
cash to co-accused person, namely, Nagendra Paswan and
allegation against the petitioner is only that co-accused
person alongwith the informant has come in the house of the



petitioner and they had taken the meal.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and she has falsely been implicated in the present case. Further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. Further submits that from bare perusal of the FIR it appears that the co-accused, namely, Nagendra Paswan has abducted the informant and he has demanded the money from the family members of the informant and the family members of the informant paid the cash to co-accused person, namely, Nagendra Paswan and it has come during investigation that co-accused person alongwith the informant has come in the house of the petitioner and they had taken the meal and except the aforesaid, no other material has come during investigation against the petitioner and the co-accused person, namely, Nagendra Paswan has been granted privilege of anticipatory bail by learned Additional District and Sessions Judge-IV, Barh, Patna vide order dated 06.05.2023 passed in A.B.P.No.9919 of 2022 and the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 24.11.2022.



Learned APP for the State, on the other hand, has opposed the prayer for bail of the petitioner.

Considering the aforesaid facts, 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 learned S.D.J.M., Barh, Patna in connection with Belchhi P.S. Case No. 105 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 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)

Nitesh/-

U		T	
---	--	---	--

