

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17579 of 2023

Arising Out of PS. Case No.-7 Year-2023 Thana- BELHAR District- Banka

Deepak Yadav Son Of Tahal Yadav Resident Of Hardedih, P.S. Suiya,
District- Banka Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-07-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
07.01.2023 in connection with Belhar P.S. Case No. 07 of
2023, F.I.R. dated 06.01.2023 registered for the offence
punishable under Sections 364,120(B) of IPC.

3. As per FIR, in brief, there is allegation against the
petitioner is that he is alleged to have kidnapped the
informant's brother/ victim namely Chako Yadav in
collaboration with other co-accused.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent and he has
falsely been implicated in the present case on the basis of the



confessional statement of the co-accused person, namely, Subhit Yadav. Further submits that the victim was recovered and his statement under Section 164 Cr.P.C. was recorded in which he has not stated anything against the petitioner and except the confessional statement of the co-accused person, no other material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and the mobile in question which was recovered from possession of the petitioner which does not belong to the victim and the same is belonged to the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 07.01.2023.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. 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 Chief Judicial Magistrate, Banka in connection with Belhar P.S. Case No. 07 of 2023, with the following conditions:-

(I) 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.

(II) 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.

(III) 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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